VoIP-Pal.com, Inc. v. Apple Inc.; *VoIP-Pal.com, Inc. v. Amazon.com, Inc.*
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EXHIBIT A

Claim Constructions To Which The Parties Have Agreed

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")	
Claim Element	*Joint Proposed Construction*
"A method of routing communications in a system in which a first participant identifier is associated with a first participant registered with the system and wherein a second participant identifier is associated with a second participant, the first participant being associated with a first participant device operable to establish a communication using the system to a second participant device associated with the second participant, the system comprising at least one processor operably configured to execute program code stored in at least one memory, the method comprising" ('762 patent claim 1)	The preamble is limiting.
"A non-transitory computer readable medium encoded with program code for directing the at least one processor to execute the method of claim 14." ('762 patent claim 16)	The preamble is limiting.
"A method of routing communications in a system in which a first participant identifier is associated with a first participant registered with the system and wherein a second participant identifier is associated with a second participant, the first participant being associated with a first participant device operable to establish a communication using the system to a second participant device associated with the second participant, the system comprising at least one processor operably	The preamble is limiting.

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Claim Element	*Joint Proposed Construction*
configured to execute program code stored in at least one memory, the method comprising" ('762 patent claim 21)	
"A system for routing communications in which a first participant is registered with the system and has an associated first participant identifier and wherein a second participant has an associated second participant identifier, the first participant being associated with a first participant device operable to establish a communication using the system to a second participant device associated with the second participant, the system comprising" ('762 patent claim 25)	The preamble is limiting.
"A method for routing a communication in a communication system between an Internet-connected first participant device associated with a first participant and a second participant device associated with a second participant, the method comprising" ('330 patent claim 1)	The preamble is limiting.
"An apparatus for routing communications in a communication system that includes an Internet-connected first participant device associated with a first participant, the first participant device operable to initiate a communication to a second participant device associated with a second participant, the apparatus comprising" ('330 patent claim 12)	The preamble is limiting.

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Claim Element	*Joint Proposed Construction*
"A method of routing a communication in a communication system between an Internet-connected first participant device associated with a first participant and a second participant device associated with a second participant, the method comprising" ('002 patent claim 1)	The preamble is limiting.
"An apparatus for routing communications in a communication system that includes an Internet-connected first participant device associated with a first participant, the first participant device operable to initiate a communication to a second participant device associated with a second participant, the apparatus comprising" ('002 patent claim 12)	The preamble is limiting.
"A method of routing a communication in a communication system between an Internet-connected first participant device associated with a first participant and a second participant device associated with a second participant, the method comprising" ('549 patent claim 1)	The preamble is limiting.
"An apparatus for routing a communication in a communication system between an Internet-connected first participant device and a second participant device, the apparatus comprising" ('549 patent claim 17)	The preamble is limiting.

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EXHIBIT B

Joint Disputed Claim Construction Chart

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
"system" (''762 patent claims 1, 14, 21, 25, 26, 30; '330 patent claims 1, 3, 12, 13; '002 patent claims 1, 12, 22; '549 patent claims 1, 2, 6, 9, 17, 18)	Plain and ordinary meaning. For example: a set of things working together	See '762 Patent Claims 1, 9, 14, 19, 20-2, 25-45. See '330 Patent Claims 1-3, 8, 12, 13, 16-8, 21, 22, 26-8, 31. See '549 Patent Claims 1-7, 9, 10, 14-21, 23, 25-7, 29. See '002 Patent Claims 1, 2, 5, 7-13, 16, 17, 22, 24, 25, 30. See Fig. 1. Summary of the Invention: "In accordance with one aspect of the invention, there is	Indefinite	Fig. 1; 1:21-28 ("Referring to FIG. 1, a system for making voice over IP telephone/videophone calls is shown generally at 10. The system includes a first supernode shown generally at 11 and a second supernode shown generally at 21. The first supernode 11 is located in a geographical area, such as Vancouver, B.C., Canada for example and the second supernode 21 is located in London, England, for example.

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[1] All citations are to the '762 patent unless otherwise noted.

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		provided a process for operating a call routing controller to facilitate communication between callers and callees in a **system** comprising a plurality of nodes with which callers and callees are associated. '762 Patent at col. 1 ll. 57- 61. • "In accordance with another aspect of the invention, there is provided a data structure for access by an apparatus for producing a routing message for use by a call routing controller in a communications **system**." '762 at col. 6 ll. 16-19. Brief Description of the Drawings:		Different supernodes may be located in different geographical regions throughout the world to provide telephone/videophone service to subscribers in respective regions. These supernodes may be in communication with each other by high speed/high data throughput links including optical fiber, satellite and/or cable links, forming a backbone to the system. These supernodes may alternatively or, in addition, be in communication with each other through conventional internet services."); 1:58-62; 3:62-4:11; 13:20-35; 13:55-66; 14:18-50; 14:65-15:9; 17:58-63; 19:1-4; 19:36-48; 20:5-11;

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		• "FIG. 1 is a block diagram of a system according to a first embodiment of the invention;" '762 Patent at col. 11 ll. 9-10. Detailed Description: • "Referring to FIG. 1, a **system** for making voice over IP telephone/videophone calls is shown generally at 10. The **system** includes a first supernode shown generally at 11 and a second supernode shown generally at 21…. These supernodes may be in communication with each other by high speed/high data throughput links including optical fiber, satellite and/or cable		21:1-12 ("the callee is a subscriber to the system and the call is classified as a private network call by directing the processor to block 279 which directs the processor to copy the contents of the corresponding user name field (281 in FIG. 14) from the callee DID bank table record 300 in FIG. 14) into the callee ID buffer (211 in FIG. 7)."); 23:23-38; 25:51-61; 32:34-39 ("Referring back to FIG. 41, if at block 782 a record such as the one shown in FIG. 43is located in the system operator special rates table, the processor is directed to block 800 in FIG. 41. If such a record is not found in the system operator special rates table,

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Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		links, forming a backbone to the **system**." '762 Patent at col. 13 ll. 20-32. • "An exemplary caller profile for the Vancouver subscriber is shown generally at 276 in FIG. 10 and indicates that the user name field 258 includes the user name (2001 1050 8667) that has been assigned to the subscriber and is stored in the user name field 50 in the telephone as shown in FIG. 2. Referring back to FIG. 10, the domain field 260 includes a domain name as shown at 282, including a node type identifier 284, a location code identifier		block 802 directs the processor to address the database 18 to look in a system operator mark-up table for a mark-up record associated with the reseller."). Plaintiff's Opposition to Defendants' Motion to Dismiss (Dkt. No. 68) at 3 ("an external communication network (e.g., the public switched telephone networks or "PSTN")"); *id.* at 2 ("such as a system or internal network (e.g., voice-over IP) and an external network (e.g., a "circuit switched network" or public telephone communication network ('PTSN'))"); *id.* at 12 ("Internal routing in an IP network may rely on one or more communication

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		286, a system provider identifier 288 and a domain portion 290. The domain field 260 effectively identifies a domain or node associated with the user identified by the contents of the user name field 258. In this embodiment, the node type identifier 284 includes the code "sp" identifying a supernode and the location identifier 286 identifies the supernode as being in Vancouver (YVR). The system provider identifier 288 identifies the company supplying the service and the domain portion 290 identifies		nodes, whereas external destinations (*e.g.*, on the PSTN) may only be accessible through a gateway."); *id.* at 14 ("system network (*e.g.*, VoIP) or an external network (e.g., a PSTN interconnected through a gateway)"); *id.* at 15 (same).

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		the "com" domain." 762' Patent at col. 18 l. 59 – col. 19 l. 4. • "A dialing profile of the type shown in FIG. 9 is produced whenever a user registers with the system or agrees to become a subscriber to the **system**. Thus, for example, a user wishing to subscribe to the system may contact an office maintained by a **system** operator and personnel in the office may ask the user certain questions about his location and service preferences, whereupon tables can be used to provide office personnel with appropriate information to be		

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Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		entered into the user name 258, domain 260, NDD 262, IDD 264, country code 266, local area codes 267, caller minimum and maximum local length fields 268 and 270, reseller field 273 and concurrent call fields 275 and 277 to establish a dialing profile for the user. Referring to FIGS. 11 and 12, callee dialing profiles for users in Calgary and London, respectively for example, are shown. In addition to creating dialing profiles when a user registers with the **system**, a direct-in-dial (DID) record of the type shown at 278		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		in FIG. 13 is added to a direct-in-dial bank table in the database (18 in FIG. 1) to associate the user name and a host name of the supernode with which the user is associated, with an E.164 number associated with the user on the PSTN network." 762' Patent at col. 19 ll. 38-60. Extrinsic evidence includes expected expert testimony. An expert is expected to offer the following opinions, based on their expertise, background and experience in the field of electrical engineering, knowledge of the viewpoint of a person of ordinary skill in the art, review of the patents and file histories, and review of		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		the proposed constructions above: 1. One of ordinary skill in the art as of the priority date would be someone with an undergraduate degree in either Computer Science, Computer Engineering, Electrical Engineering, or a closely related discipline. Such a person would also have two years of experience in system-level software development. A greater degree of professional experience could serve to replace some degree of formal education and some greater degree of formal education could serve to replace some degree of professional work experience.		

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Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		2. A person of ordinary skill in the art would have understood the claim term, viewed in light of the subject patent(s) including the intrinsic evidence identified herein, to have the meanings consistent with the proposed claim construction. Extrinsic Evidence: McGraw-Hill Dictionary of Scientific and Technical Terms, 2003 (at p. 2092). Webster's II New College Dictionary, 2005 (at p. 1146). "system, n." OED Online, Oxford University Press, 2019.		
"participant	stored information specific	See '762 Patent Claims 1,	Plain and ordinary	2:6-16 ("The process may

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
profile" / "user profile" ('762 patent claims 1, 21, 25; '330 patent claims 1, 4, 12; '549 patent claims 1, 17; '002 patent claims 1, 12, 22)	to a subscriber of a communication system	3, 7-8, 11, 20-1, 24-5, 27, 31, 35, 42-3, 45. See '330 Patent Claims 9-10, 19. See '549 Patent Claims 1, 4, 10, 12 14, 17-8, 25-8, 30-1. See '002 Patent Claims 1, 4-7, 9, 11, 12,15, 16, 22, 25, 29. See Figs 9-12. Summary of the Invention: • "Locating a record may involve locating a caller dialing **profile** comprising a **user**name associated with the caller, a domain associated with the caller, and at least one calling attribute. Using the call classification criteria may involve comparing calling	meaning, i.e., a record specific to the respective [user/participant]	involve receiving a request to establish a call, from a call controller in communication with a caller identified by the callee identifier. Using the call classification criteria may involve searching a database to locate a record identifying calling attributes associated with a caller identified by the caller identifier. Locating a record may involve locating a caller dialing profile comprising a user name associated with the caller, a domain associated with the caller, and at least one calling attribute."). 18:27-39 ("Referring to FIG. 8A, the RC request

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		attributes associated with the caller dialing **profile** with aspects of the callee identifier." '762 Patent at col. 2 ll. 13-16. • "Formatting may involve removing an international dialing digit from the callee identifier, when the callee identifier begins with a digit matching an international dialing digit specified by the caller dialing **profile** associated with the caller." '762 Patent at col. 2, ll. 36-40. • "Formatting may involve prepending a caller country code and an area code to the callee identifier when the callee identifier has a length that matches a		message handler begins with a first block 252 that directs the RC processor circuit (200) to store the contents of the RC request message (150) in buffers in the buffer memory 207 of FIG. 7, one of which includes the caller ID buffer 209 of FIG. 7 for separately storing the contents of the callee field 154 of the RC request message. Block 254 then directs the RC processor circuit to use the contents of the caller field 152 in the RC 35 request message shown in FIG. 6, to locate and retrieve from the database 18 a record associating calling attributes with the calling subscriber. The located record may be referred to as a dialing profile for the caller. The retrieved

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Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		caller dialing number format specified by the caller dialing **profile** and only one area code is specified as being associated with the caller in the caller dialing profile." '762 Patent at col. 2, ll. 49-54. • "The process may involve determining whether the callee identifier complies with a pre-defined **user**name format and if so, classifying the call as a private network call." '002 Patent at col. 2 ll. 58-60. • "Producing the routing message identifying a node on the private network may involve setting a callee identifier in response to		dialing profile may then be stored in the buffer memory 207, for example."). Figs. 8A; 9-12.

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		a **user**name associated with the DID bank table record." '002 Patent at col. 3 ll. 1-4. • "Determining whether a node associated with the reformatted callee identifier is the same as a node associated the caller identifier may involve determining whether a prefix of the re-formatted callee identifier matches a corresponding prefix of a **user**name associated with the caller dialing profile." '002 Patent at col. 3, ll. 9-14. • "The process may involve causing the dialing **profile** to include a maximum concurrent call value and a concurrent call count value and causing		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		the concurrent call count value to be incremented when the **user** associated with the dialing **profile** initiates a call and causing the concurrent call count value to be decremented when a call with the user associated with the dialing profile is ended." '762 Patent at col. 3 ll. 54-60. • "In accordance with another aspect of the invention, there is provided a data structure for access by an apparatus for producing a routing message for use by a call routing controller in a communications system. The data structure includes dialing profile records		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		comprising fields for associating with respective subscribers to the system, a subscriber **user** name, direct-in-dial records comprising fields for associating with respective subscriber usernames, a **user** domain and a direct-in-dial number, prefix to node records comprising fields for associating with at least a portion of the respective subscriber **user**names, a node address of a node in the system, whereby a subscriber name can be used to find a **user** domain, at least a portion of the a subscriber name can be used to find a node with which the subscriber		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		identified by the subscriber name is associated, and a **user** domain and subscriber name can be located in response to a direct-in-dial number." '002 Patent at col. 6 ll. 16-32. • "In accordance with another aspect of the invention, there is provided a method for determining a time to permit a communication session to be conducted. The method involves calculating a cost per unit time, calculating a first time value as a sum of a free time attributed to a **participant** in the communication session and the quotient of a funds balance held by		

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Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		the participant to the cost per unit time value and producing a second time value in response to the first time value and a billing pattern associated with the **participant**, the billing pattern including first and second billing intervals and the second time value being the time to permit a communication session to be conducted. Calculating the first time value may involve retrieving a record associated with the **participant** and obtaining from the record at least one of the free time and the funds balance." '762 Patent at col. 6 ll. 48-62 • "In accordance with		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		another aspect of the invention, there is provided a process for attributing charges for communications services. The process involves determining a first chargeable time in response to a communication session time and a pre-defined billing pattern, determining a **user** cost value in response to the first chargeable time and a free time value associated with a **user** of the communications services, changing an account balance associated with the user in response to a user cost per unit time. The process may further involve changing an account balance associated with a		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		reseller of the communications services in response to a reseller cost per unit time and the communication session time and changing an account balance associated with an operator of the communications services in response to an operator cost per unit time and the communication session time." '002 Patent at col. 8 ll. 43-58 Brief Description of Drawings: • "FIG. 9 is a tabular representation of a dialing profile stored in a database accessible by the RC shown in FIG.		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		1; • FIG. 10 is a tabular representation of a dialing profile for a caller using the caller telephone shown in FIG. 1; • FIG. 11 is a tabular representation of a callee profile for a callee located in Calgary; • FIG. 12 is a tabular representation of a callee profile for a callee located in London;" 762 Patent at col. 11, ll. 30-7. Detailed Description: • "Referring to FIG. 8A, the RC request message handler begins with a first block 252 that		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		directs the RC processor circuit (200) to store the contents of the RC request message (150) in buffers in the buffer memory 207 of FIG. 7, one of which includes the caller ID buffer 209 of FIG. 7 for separately storing the contents of the callee field 154 of the RC request message. Block 254 then directs the RC processor circuit to use the contents of the caller field 152 in the RC request message shown in FIG. 6, to locate and retrieve from the database 18 a record associating calling attributes with the calling subscriber. The located record may be referred to as a dialing **profile** for the caller.		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		The retrieved dialing **profile** may then be stored in the buffer memory 207, for example. Referring to FIG. 9, an exemplary data structure for a dialing **profile** is shown generally at 253 and includes a **user** name field 258, a domain field 260, and calling attributes comprising a national dialing digits (NDD) field 262, an international dialing digits (IDD) field 264, a country code field 266, a local area codes field 267, a caller minimum local length field 268, a caller maximum local length field 270, a reseller field 273, a maximum number of concurrent calls field		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		275 and a current number of concurrent calls field 277. Effectively the dialing profile is a record identifying calling attributes of the caller identified by the caller identifier. More generally, dialing profiles represent calling attributes of respective subscribers. An exemplary caller **profile** for the Vancouver subscriber is shown generally at 276 in FIG. 10 and indicates that the **user** name field 258 includes the **user** name (2001 1050 8667) that has been assigned to the subscriber and is stored in the **user** name field 50 in the telephone as shown in FIG. 2." '762 Patent at		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		col. 18 ll. 27-58. • "A dialing **profile** of the type shown in FIG. 9 is produced whenever a **user** registers with the system or agrees to become a subscriber to the system. Thus, for example, a **user** wishing to subscribe to the system may contact an office maintained by a system operator and personnel in the office may ask the **user** certain questions about his location and service preferences, whereupon tables can be used to provide office personnel with appropriate information to be entered into the **user** name 258, domain 260, NDD 262, IDD 264, country code 266, local area codes 267,		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		caller minimum and maximum local length fields 268 and 270, reseller field 273 and concurrent call fields 275 and 277 to establish a dialing profile for the **user**." '762 Patent at col. 19 ll. 38-50. • "The parameter memory 38 has a **user**name field 50, a password field 52 an IP address field 53 and a SIP proxy address field 54, for example. The **user** name field 50 is operable to hold a **user** name, which in this case is 2001 1050 8667. The **user** name is assigned upon subscription or registration into the system and, in this embodiment, includes a		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		twelve digit number having a continent code 61, a country code 63, a dealer code 70 and a unique number code 74. The continent code 61 is comprised of the first or left-most digit of the **user** name in this embodiment. The country code 63 is comprised of the next three digits. The dealer code 70 is comprised of the next four digits and the unique number code 74 is comprised of the last four digits. The password field 52 holds a password of up to 512 characters, in this example. The IP address field 53 stores an IP address of the telephone, which for this explanation is 192.168.0.20. The SIP		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		proxy address field 54 holds an IP protocol compatible proxy address which may be provided to the telephone through the internet connection 48 as part of a registration procedure." '002 Patent at col. 15 ll. 48-67. Extrinsic evidence includes expected expert testimony. An expert is expected to offer the following opinions, based on their expertise, background and experience in the field of electrical engineering, knowledge of the viewpoint of a person of ordinary skill in the art, review of the patents and file histories, and review of the proposed constructions above:		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		1. One of ordinary skill in the art as of the priority date would be someone with an undergraduate degree in either Computer Science, Computer Engineering, Electrical Engineering, or a closely related discipline. Such a person would also have two years of experience in system-level software development. A greater degree of professional experience could serve to replace some degree of formal education and some greater degree of formal education could serve to replace some degree of professional work experience. 2. A person of ordinary skill in the art would have understood the		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		claim term, viewed in light of the subject patent(s) including the intrinsic evidence identified herein, to have the meanings consistent with the proposed claim construction.		
		Extrinsic Evidence:		
		McGraw-Hill Dictionary of Scientific and Technical Terms, 2003 (at p. 2235).		
		Webster's II New College Dictionary, 2005 (at p. 820).		
		"profile, n." OED Online, Oxford University Press, 2019.		
		"user, n.1." OED Online, Oxford University Press, 2019.		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
"attribute" ('762 patent claims 1, 2, 21, 25, 26, 30; '330 patent claims 1, 4, 12; '002 patent claims 1, 12; '549 patent claims 1, 11, 12, 17)	information that is part of stored information specific to a subscriber of a communication system	See '762 Patent Claims 1-3, 7, 11, 20-1, 24-7, 30, 35, 43, 45. See '330 Patent Claims 1, 4, 9, 10, 12, 17, 19. See '549 Patent Claims 1, 10-4, 17, 26-8. See '002 Patent Claims 1, 9, 11-2, 18, 21, 27. See Fig. 9. Summary of the Invention • "Using the call classification criteria may involve searching a database to locate a record identifying calling **attributes** associated with a caller identified by the caller identifier. Locating a record may involve locating a caller	Plain and ordinary meaning, i.e., characteristic specific to the respective [user/participant]	2:9-19 ("Using the call classification criteria may involve searching a database to locate a record identifying calling attributes associated with a caller identified by the caller identifier. Locating a record may involve locating a caller dialing profile comprising a user name associated with the caller, a domain associated with the caller, and at least one calling attribute. Using the call classification criteria may involve comparing calling attributes associated with the caller dialing profile with aspects of the callee identifier."); 4:15-19 ("The apparatus

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		dialing profile comprising a user name associated with the caller, a domain associated with the caller, and at least one calling **attribute**. Using the call classification criteria may involve comparing calling **attributes** associated with the caller dialing profile with aspects of the callee identifier. Comparing may involve determining whether the callee identifier includes a portion that matches an IDD associated with the caller dialing profile. Comparing may involve determining whether the callee identifier includes a		may further include searching provisions for searching a database including records associating calling attributes with subscribers to the private network to locate a record identifying calling attributes associated with a caller identified by the caller identifier."); Figs. 9-14. 18:40-52 ("Referring to FIG. 9, an exemplary data structure for a dialing profile is shown generally at 253 and includes a user name field 258, a domain field 260, and calling attributes comprising a national dialing digits (NDD) field 262, an international dialing digits (IDD) field 264, a country

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		portion that matches an NDD associated with the caller dialing profile. Comparing may involve determining whether the callee identifier includes a portion that matches an area code associated with the caller dialing profile. Comparing may involve determining whether the callee identifier has a length within a range specified in the caller dialing profile." '762 Patent at col. 2 ll. 9-32. • "The apparatus may further include searching provisions for searching a database including records associating calling		code field 266, a local area codes field 267, a caller minimum local length field 268, a caller maximum local length field 270, a reseller field 273, a maximum number of concurrent calls field 275 and a current number of concurrent calls field 277. Effectively the dialing profile is a record identifying calling attributes of the caller identified by the caller identifier. More generally, dialing profiles represent calling attributes of respective subscribers."); '330 4/10/17 Amendment and Remarks at 11-12. ("As explained above, Turner's Directory Server uses the dialed CA of the called party (which the Examiner believes is a

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		attributes with subscribers to the private network to locate a record identifying calling **attributes** associated with a caller identified by the caller identifier. The records may include dialing profiles each including a user name associated with the subscriber, an identification of a domain associated with the subscriber, and an identification of at least one calling **attribute** associated with the subscriber. The call classification provisions may be operably configured to compare calling attributes associated with the caller dialing		"second participant") as a search key to obtain the current NA attribute 122 from the "user profile" object 104. See Turner at [0041]-[0042] and in Figure 3. Thus, at best, Turner compares the first participant station's NA with a second participant attribute (an NA taken from the second participant's user profile). However, Claim 1 specifically recites, "comparing at least a portion of the second participant identifier... with at least one of the plurality of first participant attributes" [i.e., located in the "user profile for the first participant"]. Thus, Turner's decision as to whether the calling party and the called party belong to the same gateway is

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		profile with aspects of the callee identifier. The calling attributes may include an international dialing digit and call classification provisions may be operably configured to determine whether the callee identifier includes a portion that matches an IDD associated with the caller dialing profile. The calling attributes may include a national dialing digit and the call classification provisions may be operably configured to determine whether the callee identifier includes a portion that matches an NDD associated with the caller dialing profile.		based on a different criterion than in Claim 1, and for at least this reason, Turner fails to anticipate Claim 1."); Mangione-Smith Decl. In Opposition to Defendants' Motion to Dismiss ("To be clear, it is not a calling party's identifier (i.e., "caller ID" or "caller identifier") that is used as the basis for evaluating the called party's identifier (e.g., "callee identifier"); rather, the calling party's identifier is used to locate a caller-specific profile identifying calling party attributes to be used to evaluate the called party's identifier and to determine the routing destination, as between two networks, and to engage infrastructure for routing the

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		The calling **attributes** may include an area code and the call classification provisions may be operably configured to determine whether the callee identifier includes a portion that matches an area code associated with the caller dialing profile. The calling attribute may include a number length range and the call classification provisions may be operably configured to determine whether the callee identifier has a length within a number length range specified in the caller dialing profile. '762 Patent at col. 4 ll. 15-47. Detailed Description:		communication.").

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		• "Referring to FIG. 9, an exemplary data structure for a dialing profile is shown generally at 253 and includes a user name field 258, a domain field 260, and calling **attributes** comprising a national dialing digits (NDD) field 262, an international dialing digits (IDD) field 264, a country code field 266, a local area codes field 267, a caller minimum local length field 268, a caller maximum local length field 270, a reseller field 273, a maximum number of concurrent calls field 275 and a current number of concurrent calls field 277" '762 Patent at col. 18 ll. 40-9.		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		Extrinsic evidence includes expected expert testimony. An expert is expected to offer the following opinions, based on their expertise, background and experience in the field of electrical engineering, knowledge of the viewpoint of a person of ordinary skill in the art, review of the patents and file histories, and review of the proposed constructions above: 1. One of ordinary skill in the art as of the priority date would be someone with an undergraduate degree in either Computer Science, Computer Engineering, Electrical Engineering, or a closely related discipline. Such a		

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Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		person would also have two years of experience in system-level software development. A greater degree of professional experience could serve to replace some degree of formal education and some greater degree of formal education could serve to replace some degree of professional work experience. 2. A person of ordinary skill in the art would have understood the claim term, viewed in light of the subject patent(s) including the intrinsic evidence identified herein, to have the meanings consistent with the proposed claim construction.		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
"routing message" ('762 patent claims 1, 21, 25; '330 patent claims 1, 12; '002 patent claims 1, 12, 22; '549 patent claims 1, 2, 12, 17, 18)	message to a call controller containing information related to the path of a communication within a network or between networks	See '762 Patent Claims 1, 9, 10, 21-2, 25, 32-33, 43-4. See '330 Patent Claims 1, 2, 8, 11-2, 16-7, 22, 27. See '549 Patent Claims 1-3, 10, 12, 14, 17-9, 26-8. See '002 Patent Claims 1, 2, 8-13, 17, 19, 22-3. See Figs. 15, 16, 25, 32. '762 Patent at Col. 1 ll. 29-35. Summary of the Invention: • "In accordance with one aspect of the invention, there is provided a process for operating a call routing controller to facilitate communication between callers and callees in a system	Plain and ordinary meaning	Fig. 7; Fig. 8A; Fig. 8C; Fig. 8D; Fig. 15; Fig. 16; Fig. 17; Fig. 25; Fig. 32; 21:49-62 ("Referring to FIG. 15, a generic routing message is shown generally at 352 and includes an optional supplier prefix field 354, and optional delimiter field 356, a callee user name field 358, at least one route field 360, a time to live field 362 and other fields 364….The route field 360 holds a domain name or IP address of a gateway or node that is to carry the call…."); '005 5/15/15 Reply to Non-Final Office Action at 27 ("Routing does not transfer useful payload…but routing tells

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		comprising a plurality of nodes with which callers and callees are associated. The process involves, in response to initiation of a call by a calling subscriber, receiving a caller identifier and a callee identifier. The process also involves using call classification criteria associated with the caller identifier to classify the call as a public network call or a private network call. The process further involves producing a **routing message** identifying an address, on the private network, associated with the callee when the call is classified as a private network call. The process also involves		how/which way to forward packets with payload."); 1:57-2:5; 3:1-53; 3:61-4:10; 5:18-6:47; 11:45-50; 12:1-4; 12:19-21; 14:51-15:9; 16:51-17:15; 18:7-25; 21:12-48; 21:63-22:4; 25:13-64; 26:20-35; 26:51-28:43. '005 5/15/15 Reply to Non-Final Office Action at 27 ("There is nothing to suggest that this signal or signaling is a routing message in the sense one skilled in the art would understand this term…."); '005 5/15/15 Reply to Non-Final Office Action at 28 ("[A]s clearly stated in Alexander, the router only forwards data packets, not routing messages….");

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		producing a **routing message** identifying a gateway to the public network when the call is classified as a public network call." '762 Patent at col. 1-2, ll. 57-5. • "Producing the **routing message** identifying a node on the private network may involve setting a callee identifier in response to a user name associated with the DID bank table record." '762 Patent at col. 3, ll. 1-4. • "Producing the **routing message** may involve determining whether a node associated with the reformatted callee identifier is the same as a node associated the caller identifier." '762		Plaintiff's Opposition to Defendants' Motion to Dismiss (Dkt. No. 68) at 15 ("Routing message identifies a suitable system network "node" or a gateway (e.g., a gateway to the PSTN)"); Newton's Telecommunications Dictionary 21st Edition at 527 (defining "message" as "a sequence of characters used to convey information or data.").

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		Patent at col. l. 57 1-col. 2 l. 5. • "When the node associated with the caller is not the same as the node associated with the callee, the process involves producing a **routing message** including the caller identifier, the reformatted callee identifier and an identification of a private network node associated with the callee and communicating the **routing message** to a call controller." '762 Patent at col. 3 ll. 5-7. • "When the node associated with the caller is the same as the node associated with the callee, the process		

	U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]			
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		involves determining whether to perform at least one of the following: forward the call to another party, block the call and direct the caller to a voicemail server associated with the callee." '762 Patent at col. 3 ll. 14-19. • "Producing the **routing message** may involve producing a **routing message** having an identification of at least one of the callee identifier, an identification of a party to whom the call should be forwarded and an identification of a voicemail server associated with the callee." '762 Patent at col. 3 ll. 20-25.		

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		• "The process may involve communicating the **routing message** to a call controller." '762 Patent at col. 3, ll. 31-32. • "Producing a **routing message** identifying a gateway to the public network may involve searching a database of route records associating route identifiers with dialing codes to find a route record having a dialing code having a number pattern matching at least a portion of the reformatted callee identifier." '762 Patent at col. 3, ll. 33-38. • "The process may involve loading a **routing message** buffer with the		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		reformatted callee identifier and an identification of specific routes associated respective ones of the supplier records associated with the route record and loading the **routing message** buffer with a time value and a timeout value." '762 Patent at col. 3 ll. 45-50. • "The process may involve communicating a **routing message** involving the contents of the **routing message** buffer to a call controller." '762 Patent at col. 3 ll. 51-53. • "In accordance with another aspect of the invention, there is provided a call routing		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		apparatus for facilitating communications between callers and callees in a system comprising a plurality of nodes with which callers and callees are associated. The apparatus includes receiving provisions for receiving a caller identifier and a callee identifier, in response to initiation of a call by a calling subscriber. The apparatus also includes classifying provisions for classifying the call as a private network call or a public network call according to call classification criteria associated with the caller identifier. The apparatus further		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		includes provisions for producing a **routing message** identifying an address, on the private network, associated with the callee when the call is classified as a private network call. The apparatus also includes provisions for producing a **routing message** identifying a gateway to the public network when the call is classified as a public network call." '762 Patent at col. 3-4 ll. 61-10. • The private network **routing message** producing provisions may be operably configured to produce a **routing message** having a callee identifier set according to a user name		

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		associated with the DID bank table record. '762 Patent at col. 5 ll. 18-21. • The private network **routing message** producing provisions may be operably configured to determine whether a node associated with the reformatted callee identifier is the same as a node associated with the caller identifier. '762 Patent at col. 5 ll. 22-25. • The private network **routing message** producing provisions may be operably configured to perform at least one of the following: forward the call to another party, block the call and		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		direct the caller to a voicemail server associated with the callee, when the node associated with the caller is the same as the node associated with the callee. '762 Patent at col. 5 ll. 30-35. • The provisions for producing the private network **routing message** may be operably configured to produce a **routing message** having an identification of at least one of the callee identifier, an identification of a party to whom the call should be forwarded and an identification of a voicemail server associated with the callee. '762 Patent at		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		col. 5 ll. 42-47. • The apparatus further includes provisions for communicating the **routing message** to a call controller. '762 Patent at col. 5 ll. 48-49. • The provisions for producing a public network **routing message** identifying a gateway to the public network may include provisions for searching a database of route records associating route identifiers with dialing codes to find a route record having a dialing code having a number pattern matching at least a portion of the reformatted callee identifier. '762 Patent		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		at col. 5 ll. 50-56. • "In accordance with another aspect of the invention, there is provided a data structure for access by an apparatus for producing a **routing message** for use by a call routing controller in a communications system. The data structure includes dialing profile records comprising fields for associating with respective subscribers to the system, a subscriber user name, direct-in-dial records comprising fields for associating with respective subscriber user names, a user domain and a direct-in-dial number, prefix to node records		

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		comprising fields for associating with at least a portion of the respective subscriber user names, a node address of a node in the system, whereby a subscriber name can be used to find a user domain, at least a portion of the a subscriber name can be used to find a node with which the subscriber identified by the subscriber name is associated, and a user domain and subscriber name can be located in response to a direct-in-dial number." '762 Patent at col. 6 ll. 15-32. • "In accordance with another aspect of the invention, there is provided a data		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		structure for access by an apparatus for producing a **routing message** for use by a call routing controller in a communications system. The data structure includes master list records comprising fields for associating a dialing code with respective master list identifiers and supplier list records inked to master list records by the master list identifiers, said supplier list records comprising fields for associating with a communications services supplier, a supplier ID, a master list ID, a route identifier and a billing rate code, whereby communications		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		services suppliers are associated with dialing codes, such that dialing codes can be used to locate suppliers capable of providing a communications link associated with a given dialing code." '762 Patent at col. 6 ll. 33-46. Brief Description of the Drawings: • "FIG. 15 is a tabular representation of a **routing message** transmitted from the RC to the call controller shown in FIG. 1." '762 Patent at col. 11 ll. 45-47. • "FIG. 16 is a schematic representation of a **routing message** buffer holding a **routing message** for		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		routing a call to the Calgary callee referenced in FIG. 11." '762 Patent at col. 11 ll. 48-50. • "FIG. 25 is a schematic representation of **a routing message**, held in a **routing message** buffer, identifying to the controller a plurality of possible suppliers that may carry the call." '762 Patent at col. 12 ll. 1-4. • "FIG. 32 is a schematic representation of an exemplary **routing message**, held in a **routing message** buffer, indicating call forwarding numbers and a voicemail server identifier" '762 Patent at col. 12 ll. 19-21.		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		Detailed Description: • "Generally, the RC 16 executes a process to facilitate communication between callers and callees. The process involves, in response to initiation of a call by a calling subscriber, receiving a callee identifier from the calling subscriber, using call classification criteria associated with the calling subscriber to classify the call as a public network call or a private network call and producing a **routing message** identifying an address on the private network, associated with the callee when the call is		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		classified as a private network call and producing a **routing message** identifying a gateway to the public network when the call is classified as a public network call." '762 Patent at col. 14 l. 65 – col. 15 l. 9. • "The program memory 204 includes blocks of codes for directing the processor 202 to carry out various functions of the RC (16). One of these blocks includes an RC request message handler 250 which directs the RC to produce a **routing message** in response to a received RC request message. The RC request message handler process is shown in greater detail		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		at 250 in FIGS. 8A through 8D." '762 Patent at col. 18 ll. 19-25. • Referring to FIG. 8A, block 280 directs the processor (202 of FIG. 7) to execute a process to determine whether or not the node associated with the reformatted callee identifier is the same node that is associated with the caller identifier. To do this, the processor 202 determines whether or not a prefix (e.g., continent code 61) of the callee name held in the callee ID buffer (211 in FIG. 7), is the same as the corresponding prefix of the caller name held in the user name field 258		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		of the caller dialing profile shown in FIG. 10. If the corresponding prefixes are not the same, block 302 in FIG. 8A directs the processor (202 in FIG. 7) to set a call type flag in the buffer memory (207 in FIG. 7) to indicate the call is a cross-domain call. Then, block 350 of FIG. 8A directs the processor (202 of FIG. 7) to produce a **routing message** identifying an address on the private network with which the callee identified by the contents of the callee ID buffer is associated and to set a time to live for the call at a maximum value of 99999, for example. '762 Patent at col. 21		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		ll. 13-30. • "Thus the **routing message** includes a caller identifier, a call identifier set according to a user name associated with the located DID bank table record and includes an identifier of a node on the private network with which the callee is associated." '762 Patent at col. 21 ll. 31-36. • "Referring to FIG. 15, a generic **routing message** is shown generally at 352 and includes an optional supplier prefix field 354, and optional delimiter field 356, a callee user name field 358, at least one route field 360, a time to		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		live field 362 and other fields 364. The optional supplier prefix field 354 holds a code for identifying supplier traffic. The optional delimiter field 356 holds a symbol that delimits the supplier prefix code from the callee user name field 358. In this embodiment, the symbol is a number sign (#). The route field 360 holds a domain name or IP address of a gateway or node that is to carry the call, and the time to live field 362 holds a value representing the number of seconds the call is permitted to be active, based on subscriber available		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		minutes and other billing parameters." '762 Patent at col. 21 ll. 49-62. • "Referring to FIG. 8A and FIG. 16, an example of a **routing message** produced by the processor at block 350 for a caller associated with a different node than the caller is shown generally at 366 and includes only a callee field 359, a route field 361 and a time to live field 362." '762 Patent at col. 21 ll. 63- 67. • "Referring to FIG. 8A, having produced a **routing message** as shown in FIG. 16, block 381 directs the processor (202 of FIG. 7) to send the		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		routing message shown in FIG. 16 to the call controller 14 shown in FIG. 1." '762 Patent at col. 22 ll. 1-4. • "Referring back to FIG. 8D, block 560 directs the processor 202 of FIG. 7 to begin to produce a **routing message** of the type shown in FIG. 15. To do this, the processor 202 loads a **routing message** buffer as shown in FIG. 25 with a supplier prefix of the least costly supplier where the least costly supplier is determined from the rate fields 550 of FIG. 21 of the records associated with respective suppliers." '762 Patent at col. 25		

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		ll. 13-19. • "Referring to FIGS. 22-24, in the embodiment shown, the supplier "Telus" has the lowest number in the rate field 550 and therefore the prefix 4973 associated with that supplier is loaded into the **routing message** buffer shown in FIG. 25 first." '762 Patent at col. 25 ll. 20-24. • "Block 562 in FIG. 8D directs the processor to delimit the prefix 4973 by the number sign (#) and to next load the reformatted callee identifier into the **routing message** buffer shown in FIG. • 25. At block 563 of FIG. 8D, the contents		

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		of the route identifier field 546 of FIG. 21 of the record associated with the supplier "Telus" are added by the processor 202 of FIG. 7 to the **routing message** buffer shown in FIG. 25 after an @ sign delimiter, and then block 564 in FIG. 8D directs the processor to get a time to live value, which in one embodiment may be 3600 seconds, for example. Block 566 then directs the processor 202 to load this time to live value and the timeout value (551) in FIG. 21 in the **routing message** buffer of FIG. 25. Accordingly, a first		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		part of the **routing message** for the Telus gateway is shown generally at 570 in FIG. 25." '762 Patent at col. 25 ll. 25- 39. • "Referring back to FIG. 8D, block 571 directs the processor 202 back to block 560 and causes it to repeat blocks 560, 562, 563, 564 and 566 for each successive supplier until the **routing message** buffer is loaded with information pertaining to each supplier identified by the processor at block 412. Thus, a second portion of the **routing message** as shown at 572 in FIG. 25 relates to the second supplier identified by the		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		record shown in FIG. 23. Referring back to FIG. 25, a third portion of the **routing message** as shown at 574 and is associated with a third supplier as indicated by the supplier record shown in FIG. 24." '762 Patent at col. 25 ll. 40-50. • "Consequently, referring to FIG. 25, the **routing message** buffer holds a **routing message** identifying a plurality of different suppliers able to provide gateways to the public telephone network (i.e., specific routes) to establish at least part of a communication link through which the caller may contact the		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		callee. In this embodiment, each of the suppliers is identified, in succession, according to rate. Other criteria for determining the order in which suppliers are listed in the **routing message** may include preferred supplier priorities which may be established based on service agreements, for example." '762 Patent at col. 25 ll. 51-61. • "Referring to FIG. 8A and FIG. 27, block 608 directs the processor 202 of FIG. 7 to determine whether or not the caller identifier received in the RC request message matches a block pattern		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		stored in the block pattern field 606 of the call block record associated with the callee identified by the contents of the user name field 604 in FIG. 26. If the caller identifier matches a block pattern, block 610 directs the processor to send a drop call or non-completion message to the call controller (14) and the process is ended. If the caller identifier does not match a block pattern associated with the callee, block 609 directs the processor to store the user name and domain of the callee, as determined from the callee dialing profile, and a time to live value		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		in the **routing message** buffer as shown at 650 in FIG. 32. Referring back to FIG. 8A, block 612 then directs the processor 202 to determine whether or not call forwarding is required." '762 Patent at col. 26 ll. 20-35. • "Referring to FIG. 8A and FIG. 29, if at block 612, the call forwarding record for the callee identified by the callee identifier contains no contents in the destination number field 616 and accordingly no contents in the sequence number field 618, there are no call forwarding entries for this callee, and the processor 202 is directed to block 620 in		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		FIG. 8C. If there are entries in the call forwarding table 27, block 622 in FIG. 8A directs the processor 202 to search the dialing profile table to find a dialing profile record as shown in FIG. 9, for the user identified by the destination number field 616 of the call forward record shown in FIG. 28. The processor 202 of FIG. 7 is further directed to store the user name and domain for that user and a time to live value in the **routing message** buffer as shown at 652 in FIG. 32, to produce a **routing message** as illustrated. This process is repeated for each call forwarding		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		record associated with the callee identified by the callee ID buffer 211 in FIG. 7 to add to the **routing message** buffer all call forwarding user names and domains associated with the callee." '762 Patent at col. 26-27 ll. 51-2. • "Referring to FIG. 30, voicemail records in this embodiment may include a user name field 624, a voicemail server field 626, a seconds to voicemail field 628 and an enable field 630. The user name field 624 stores the user name of the callee. The voicemail server field 626 holds a code identifying a domain name of a voicemail server		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		associated with the user identified by the user name field 624. The seconds to voicemail field 628 holds a code identifying the time to wait before engaging voicemail, and the enable field 630 holds a code representing whether or not voicemail is enabled for the user. Referring back to FIG. 8C, at block 620 if the processor 202 of FIG. 7 finds a voicemail record as shown in FIG. 30 having user name field 624 contents matching the callee identifier, the processor is directed to examine the contents of the enabled field 630 to determine whether or not voicemail is		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		enabled. If voicemail is enabled, then block 640 in FIG. 8C directs the processor 202 to FIG. 7 to store the contents of the voicemail server field 626 and the contents of the seconds to voicemail field 628 in the **routing message** buffer, as shown at 654 in FIG. 32. Block 642 then directs the processor 202 to get time to live values for each path specified by the **routing message** according to the cost of routing and the user's balance. These time to live values are then appended to corresponding paths already stored in the **routing message** buffer." '762 Patent at		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		col. 27 ll. 3-9. Extrinsic evidence includes expected expert testimony. An expert is expected to offer the following opinions, based on their expertise, background and experience in the field of electrical engineering, knowledge of the viewpoint of a person of ordinary skill in the art, review of the patents and file histories, and review of the proposed constructions above: 1. One of ordinary skill in the art as of the priority date would be someone with an undergraduate degree in either Computer Science, Computer Engineering, Electrical Engineering, or a closely related		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		discipline. Such a person would also have two years of experience in system-level software development. A greater degree of professional experience could serve to replace some degree of formal education and some greater degree of formal education could serve to replace some degree of professional work experience. 2. A person of ordinary skill in the art would have understood the claim term, viewed in light of the subject patent(s) including the intrinsic evidence identified herein, to have the meanings consistent with the proposed claim		

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Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		construction. Extrinsic Evidence: McGraw-Hill Dictionary of Scientific and Technical Terms, 2003 (at p. 1836). "route, v.." OED Online, Oxford University Press, 2019.		
"network external to the system"/ "external network" ('762 patent claims 1, 21, 25; '330 patent claims 1, 12, 13; '002 patent claims 1, 12, 29;	a network that is distinct from and not controlled by the entity that controls the communication system	See '330 Patent Claims 1, 2, 8, 11-3, 16, 17, 24, 25, 29, 30. See '549 Patent Claims 1, 3-8, 10, 14, 17, 19-22, 24, 26, 27. See '002 Patent Claims 1-4, 7-15, 19, 23, 29, 30. See '762 Patent Claims 1, 9, 21, 22, 25, 32, 43, 44. • "1…causing the at least one processor to access the at least one database to search for a user	Indefinite	Fig. 1; 1:21-28 ("Referring to FIG. 1, a system for making voice over IP telephone/videophone calls is shown generally at 10. The system includes a first supernode shown generally at 11 and a second supernode shown generally at 21. The first supernode 11 is located in a geographical area, such as Vancouver, B.C., Canada for example and

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
'549 patent claims 1, 6, 8, 17, 24)		profile for the second participant; classifying the communication, based on the comparing, as a system communication or an **external network** communication, using the at least one processor; when the communication is classified as a system communication, producing a system routing message identifying an Internet address of a communication system node associated with the second participant device based on the user profile for the second participant, using the at least one processor, wherein the system routing message causes the communication to be established to the second		the second supernode 21 is located in London, England, for example. Different supernodes may be located in different geographical regions throughout the world to provide telephone/videophone service to subscribers in respective regions. These supernodes may be in communication with each other by high speed/high data throughput links including optical fiber, satellite and/or cable links, forming a backbone to the system. These supernodes may alternatively or, in addition, be in communication with each other through conventional internet services."); 1:58-62; 3:62-4:11; 13:20-35; 13:55-66; 14:18-50;

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		participant device; and when the communication is classified as an external network communication, producing an external network routing message identifying an Internet address associated with a gateway to an external network, using the at least one processor, wherein the external network routing message causes the communication to the second participant device to be established using the gateway to the external network." '330 Patent at col. 37-38, ll. 40-4. • "2. The method of claim 1, wherein producing the system routing message causes the communication to be established over an		14:65-15:9; 17:58-63; 19:1-4; 19:36-48; 20:5-11; 21:1-12 ("the callee is a subscriber to the system and the call is classified as a private network call by directing the processor to block 279 which directs the processor to copy the contents of the corresponding user name field (281 in FIG. 14) from the callee DID bank table record 300 in FIG. 14) into the callee ID buffer (211 in FIG. 7)."); 25:51-61; 32:34-39 ("Referring back to FIG. 41, if at block 782 a record such as the one shown in FIG. 43 is located in the system operator special rates table, the processor is directed to block 800 in FIG. 41. If such a record is not found in the system operator

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		Internet protocol (IP) network; and wherein producing the external network routing message causes a portion of a path taken by the communication to be established over a circuit switched network." 330 Patent col. 38, ll. 5-9. • "8. The method of claim 1, further comprising: processing a plurality of communications from the first participant device to a plurality of communication recipient devices to classify each of the plurality of communications as a system communication or an external network communication, wherein the plurality of		special rates table, block 802 directs the processor to address the database 18 to look in a system operator mark-up table for a mark-up record associated with the reseller."); 23:23-38; 25:51-61; 32:34-39 ("Referring back to FIG. 41, if at block 782 a record such as the one shown in FIG. 43is located in the system operator special rates table, the processor is directed to block 800 in FIG. 41. If such a record is not found in the system operator special rates table, block 802 directs the processor to address the database 18 to look in a system operator mark-up table for a mark-up record associated with the

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		communications are concurrent; and producing a respective plurality of routing messages, based on the classifying of each respective one of the plurality of communications, each respective routing message identifying an Internet address associated with a recipient device or identifying an Internet address associated with a gateway to an external network." 330 Patent, Col. 38, ll. 51-63. • "11. The method of claim 2, wherein the external network routing message comprises a code identifying a communication supplier		reseller."). Plaintiff's Opposition to Defendants' Motion to Dismiss (Dkt. No. 68) at 3 ("an external communication network (e.g., the public switched telephone networks or "PSTN")"); *id.* at 2 ("such as a system or internal network (e.g., voice-over IP) and an external network (e.g., a "circuit switched network" or public telephone communication network ('PTSN'))"); *id.* at 12 ("Internal routing in an IP network may rely on one or more communication nodes, whereas external destinations (*e.g.*, on the PSTN) may only be accessible through a gateway."); *id.* at 14 ("system network (*e.g.*,

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		associated with the gateway to the external network." 330 Patent, Col. 39, ll. 5-8. • "12…access the at least one database to search for a user profile for the second participant; classify the communication, based on the comparison result, as a system communication or an external network communication; when the communication is classified as a system communication, produce a system routing message identifying an Internet address of a communication system node associated with the second participant device based on the user profile for the		VoIP) or an external network (e.g., a PSTN interconnected through a gateway)"); *id.* at 15 (same).

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		second participant, wherein the system routing message causes the communication to be established to the second participant device; and when the communication is classified as an external network communication, produce an external network routing message identifying an Internet address associated with a gateway to an external network, wherein the external network routing message causes the communication to the second participant device to be established using the gateway to the external network." 330 Patent, Col. 39, ll. 33-52.		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		• "13. The apparatus of claim 12, wherein the at least one processor is operably configured to cause the communication to be established over an Internet protocol (IP) network when the communication is classified as a system communication; and wherein the at least one processor is operably configured to cause a portion of a path taken by the communication to be established over a circuit switched network when the communication is classified as an external network communication." 330 Patent, Col. 39, ll. 53-62. • "16. The apparatus of		

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Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		claim 13, wherein the at least one processor is further operably configured to: process a plurality of communications from the first participant device to a plurality of communication recipient devices to classify each of the plurality of communications as a system communication or an external network communication, wherein the plurality of communications are concurrent; and produce a respective plurality of routing messages, based on the classifying of each respective one of the plurality of communications, each respective routing		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		message identifying an Internet address associated with a recipient device or identifying an Internet address associated with a gateway to an external network." 330 Patent, Col. 40, ll. 13-26. • "17…classify the communication, based on at least one of the comparison result and the communication blocking information for the second participant, as a system communication, an external network communication or a blocked communication; when the communication is classified as a system communication, produce a system		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		routing message identifying a first Internet address associated with the second participant device, causing the communication to be established entirely over an Internet protocol (IP) network; and when the communication is classified as an external network communication, produce an external routing message identifying an Internet address associated with a gateway to a network that is external to the communication system, causing a portion of a path taken by the communication to be established over a circuit switched		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		network." 330 Patent, Col. 40-41, ll. 56-7. • "24. The apparatus of claim 17, wherein the at least one processor is further operably configured to: determine whether the second participant device is operably configured to communicate via the Internet; and if the second participant device is not operably configured to communicate via the Internet, classify the communication as the external network communication." 330 Patent, Col. 37-38, ll. 40-4. • "25. The apparatus of claim 17, wherein the at least one processor is		

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Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		further operably configured to: determine whether the user profile for the second participant exists in the at least one database; and if the user profile for the second participant does not exist in the at least one database, classify the communication as the external network communication." 330 Patent, Col. 41, ll. 57-63. '762 Patent Claims: network external to the system • "... a network external to the system..." 762 Patent, Col. 38 at claim 1. • "... wherein the network external to		

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		the system is a circuit switched network..." 762 Patent at claim 9. • ". . . the second network routing message identifying an address associated with a gateway to a network external to the system, wherein the second network classification criterion is met if the second participant is not registered with the system..." 762 Patent at claim 21. • ". . . wherein the system comprises an IP network and the first participant device is in data communication with the IP network, wherein the first network routing message causes the		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		communication to take place entirely over the IP network, and wherein the network external to the system is a circuit switched network. '762 Patent at claim 25. Background of the Invention • "IP telephony switches installed within the IP network enable voice calls to be made within or between an IP networks, and between a IP network and a switched circuit network (SCN), such as the public switched telephone network (PSTN). '762 Patent at col. 1 ll. 29-35.		

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Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		• "The PSTN network typically includes complex network nodes that contain all information about a local calling service area including user authentication and call routing. The PSTN network typically aggregates all information and traffic into a single location or node, processes it locally and then passes it on to other network nodes, as necessary, by maintaining route tables at the node." '762 Patent at col.1 ll. 36-42. Summary of the Invention • "In accordance with		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		one aspect of the invention, there is provided a process for operating a call routing controller to facilitate communication between callers and callees in a system comprising a plurality of nodes with which callers and callees are associated. The process involves, in response to initiation of a call by a calling subscriber, receiving a caller identifier and a callee identifier. The process also involves using call classification criteria associated with the caller identifier to classify the call as a **public network call** or a private network		

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		call. The process further involves producing a routing message identifying an address, on the private network, associated with the callee when the call is classified as a private network call. The process also involves producing a routing message identifying a gateway to the public network when the call is classified as a **public network call**." '762 Patent at col.1 57 – col 2 l. 5. • "The process may involve causing a database of records to be searched to locate a direct in dial (DID) bank table record associating a public telephone number		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		with the reformatted callee identifier and if the DID bank table record is found, classifying the call as a private network call and if a DID bank table record is not found, classifying the call as a public network call." 762 Patent at col.2 ll. 61-7. • "Producing a routing message identifying a gateway to the **public network** may involve searching a database of route records associating route identifiers with dialing codes to find a route record having a dialing code having a number pattern matching at least a portion of the reformatted callee		

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Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		identifier." 762 Patent at col. 3 ll. 33-8. • Generally, the RC 16 executes a process to facilitate communication between callers and callees. The process involves, in response to initiation of a call by a calling subscriber, receiving a callee identifier from the calling subscriber, using call classification criteria associated with the calling subscriber to classify the call as a public network call or a private network call and producing a routing message identifying an address on the private network, associated with the callee when		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		the call is classified as a private network call and producing a routing message identifying a gateway to the public network when the call is classified as a public network call. '762 Patent at col. 14 l. 65 – col. 15 l. 9. Extrinsic evidence includes expected expert testimony. An expert is expected to offer the following opinions, based on their expertise, background and experience in the field of electrical engineering, knowledge of the viewpoint of a person of ordinary skill in the art, review of the patents and file histories, and review of the proposed constructions above:		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		1. One of ordinary skill in the art as of the priority date would be someone with an undergraduate degree in either Computer Science, Computer Engineering, Electrical Engineering, or a closely related discipline. Such a person would also have two years of experience in system-level software development. A greater degree of professional experience could serve to replace some degree of formal education and some greater degree of formal education could serve to replace some degree of professional work experience. 2. A person of ordinary skill in the art would have understood the		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		claim term, viewed in light of the subject patent(s) including the intrinsic evidence identified herein, to have the meanings consistent with the proposed claim construction. Extrinsic Evidence: McGraw-Hill Dictionary of Scientific and Technical Terms, 2003 (at p. 2092). Webster's II New College Dictionary, 2005 (at p. 752). Webster's II New College Dictionary, 2005 (at p. 1146). "network, n. and adj." OED Online, Oxford University Press, 2019. "system, n." OED Online,		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		Oxford University Press, 2019.		
"external network communication" ('330 patent claims 1, 12, 13; '002 patent claims 1, 12; '549 patent claims 1, 6, 8, 17, 24)	communication utilizing an external network	See '330 Patent Claims 1, 8, 12, 13, 16, 17, 24, 25, 29, 30. See '549 Patent Claims 1, 4-8, 10, 14, 17, 20-22, 24, 26, 27. See '002 Patent Claims 1, 3, 4, 7-10, 12, 14, 15. Claims: • ""1. …receiving, by the at least one processor, a second participant identifier inputted by the first participant using the first participant device to initiate a communication, the second participant identifier being associated with the second participant	Indefinite	Fig. 1; 1:21-28 ("Referring to FIG. 1, a system for making voice over IP telephone/videophone calls is shown generally at 10. The system includes a first supernode shown generally at 11 and a second supernode shown generally at 21. The first supernode 11 is located in a geographical area, such as Vancouver, B.C., Canada for example and the second supernode 21 is located in London, England, for example. Different supernodes may be located in different geographical regions throughout the world to provide telephone/videophone service to subscribers in respective regions. These

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		device; processing the second participant identifier, based on the at least one first participant attribute obtained from the first participant profile, to produce a new second participant identifier; classifying the communication as a system communication or an **external network communication**; when the communication is classified as a system communication, producing a system routing message, based on the new second participant identifier, that identifies an Internet Protocol (IP) address of a network element through which the communication is to be routed thereby		supernodes may be in communication with each other by high speed/high data throughput links including optical fiber, satellite and/or cable links, forming a backbone to the system. These supernodes may alternatively or, in addition, be in communication with each other through conventional internet services."); 13:20-35; 14:18-50; 14:65-15:9; 19:2-4; 21:1-12 ("the callee is a subscriber to the system and the call is classified as a private network call by directing the processor to block 279 which directs the processor to copy the contents of the corresponding user name field (281 in FIG. 14) from

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		causing the communication to be established to the second participant device; and when the communication is classified as an **external network communication**, producing an external network routing message, based on the new second participant identifier, that identifies an address associated with a gateway to an external network thereby causing the communication to the second participant device to be established by use of the gateway to the external network." '549 Patent at claim 1. • "4.The method of claim 1, wherein classifying		the callee DID bank table record 300 in FIG. 14) into the callee ID buffer (211 in FIG. 7)."); 25:51-61; 32:34-39 ("Referring back to FIG. 41, if at block 782 a record such as the one shown in FIG. 43is located in the system operator special rates table, the processor is directed to block 800 in FIG. 41. If such a record is not found in the system operator special rates table, block 802 directs the processor to address the database 18 to look in a system operator mark-up table for a mark-up record associated with the reseller."); Plaintiff's Opposition to Defendants' Motion to Dismiss (Dkt. No. 68) at 3 ("an external

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		the communication comprises causing the at least one processor to: determine whether the second participant device is accessible to the communication system over an Internet Protocol (IP) network, and when the second participant device is not accessible over the Internet Protocol (IP) network, classify the communication as an **external network communication**." 549 Patent at claim 4. • "7. The method of claim 2, wherein classifying the communication further comprises causing the at least one processor to: determine whether a user profile associated with the new second		communication network (e.g., the public switched telephone networks or "PSTN")"); *id.* at 2 ("such as a system or internal network (e.g., voice-over IP) and an external network (e.g., a "circuit switched network" or public telephone communication network ('PTSN'))"); *id.* at 12 ("Internal routing in an IP network may rely on one or more communication nodes, whereas external destinations (*e.g.*, on the PSTN) may only be accessible through a gateway."); *id.* at 14 ("system network (*e.g.*, VoIP) or an external network (e.g., a PSTN interconnected through a gateway)"); *id.* at 15 (same).

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		participant identifier exists in the database; if a user profile associated with the new second participant identifier does not exist in the database, classify the communication as the **external network communication**; and if a user profile associated with the new second participant identifier exists in the database, classify the communication as the system communication, wherein the Internet address associated with the second participant device is based on the user profile associated with the new second participant identifier." '002 Patent at claim 7. • "8. The method of claim 1, further		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		comprising: processing a plurality of communications from the first participant device to a plurality of communication recipient devices to classify each of the plurality of communications as a system communication or an **external network communication**, wherein the plurality of communications are concurrent; and producing a respective plurality of routing messages, based on the classifying of each respective one of the plurality of communications, each respective routing message identifying an Internet address associated with a		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		recipient device or identifying an Internet address associated with a gateway to an external network. '002 Patent at claim 8. See also "external network." Extrinsic evidence includes expected expert testimony. An expert is expected to offer the following opinions, based on their expertise, background and experience in the field of electrical engineering, knowledge of the viewpoint of a person of ordinary skill in the art, review of the patents and file histories, and review of the proposed constructions above: 1. One of ordinary skill in		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		the art as of the priority date would be someone with an undergraduate degree in either Computer Science, Computer Engineering, Electrical Engineering, or a closely related discipline. Such a person would also have two years of experience in system-level software development. A greater degree of professional experience could serve to replace some degree of formal education and some greater degree of formal education could serve to replace some degree of professional work experience. 2. A person of ordinary skill in the art would have understood the claim term, viewed in		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		light of the subject patent(s) including the intrinsic evidence identified herein, to have the meanings consistent with the proposed claim construction. Extrinsic Evidence: Webster's II New College Dictionary, 2005 (at p. 233). Webster's II New College Dictionary, 2005 (at p. 752). McGraw-Hill Dictionary of Scientific and Technical Terms, 2003 (at p. 1415). "communication, n." OED Online, Oxford University Press, 2019. "network, n. and adj." OED Online, Oxford University Press, 2019.		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
"communication blocking information" ('330 patent claim 14; '002 patent claim 26; '549 patent claim 12)	information used by a communication system node to determine whether to prevent a communication from being received by the intended recipient	See '330 Patent Claims 5, 14, 17. See '549 Patent Claim 12. See '002 Patent Claim 26. See Figs. 26 & 27 Claims: • "5. The method of claim 2, further comprising: accessing the at least one database to locate **communication blocking information** for the second participant, using the at least one processor; and blocking the communication when the communication blocking information identifies the first participant identifier." '330 Patent at claim 5. • 12. The method of	Plain and ordinary meaning	Fig 8A, Figs. 26-27; 26:12-28 ("Referring to FIG. 26, the call block records include a user name field 604 and a block pattern field 606. The user name field holds a user name corresponding to the user name in the user name field (258 in FIG. 10) of the callee profile and the block pattern field 606 holds one or more E. 164-compatible numbers or user names identifying PSTN numbers or system subscribers from whom the subscriber identified in the user name field 604 does not wish to receive calls. Referring to FIG. 8A and FIG. 27, block 608 directs the processor 202 of FIG. 7 to determine whether or not the caller identifier

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		claim 11, wherein: if the further communication is allowed to proceed based on the user-specific first participant attribute, causing the at least one processor to search a database for communication blocking information associated with the third participant device, and if the communication blocking information is found, preventing the further communication from being established; and if the further communication is allowed to proceed based on the at least one user- specific first participant attribute and no **communication blocking information**		received in the RC request message matches a block pattern stored in the block pattern field 606 of the call block record associated with the callee identified by the contents of the user name field 604 in FIG. 26. If the caller identifier matches a block pattern, block 610 directs the processor to send a drop call or non-completion message to the call controller (14) and the process is ended."); 27:38-41.

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		associated with the third participant device is found in the database, causing the at least one processor to produce a corresponding routing message to cause the further communication to be established to the third participant device. '549 Patent at claim 12. Summary of the Invention: • "When the node associated with the caller is the same as the node associated with the callee, the process involves determining whether to perform at least one of the following: forward the call to another party, **block the call** and direct the caller to a voicemail server		

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Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		associated with the callee." '330 Patent at col. 3 ll. 21-6. • "The private network routing message producing provisions may be operably configured to perform at least one of the following forward the call to another party, **block the call** and direct the caller to a voicemail server associated with the callee, when the node associated with the caller is the same as the node associated with the callee" '330 Patent at col. 5 ll. 37-42. Brief Description of the Drawings: • "FIG. 26 is a tabular		

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		representation of a call block table record; • FIG. 27 is a tabular representation of a call block table record for the Calgary callee;" '330 Patent at col. 12 ll. 5-8. Detailed Description: • "In addition to creating dialing profiles as shown in FIG. 9 and DID records as shown in FIG. 13 when a user registers with the system, **call blocking** records of the type shown in FIG. 26, call forwarding records of the type shown in FIG. 28 and voicemail records of the type shown in FIG. 30 may be added to the		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		database 18 when a new subscriber is added to the system." '330 Patent at col. 20 ll. 6-12. • "Referring back to FIG. 8A, if at block 280, the callee identifier received in the RC request message has a prefix that identifies the same node as that associated with the caller, block 600 directs the processor 202 to use the callee identifier in the callee id buffer 211 to locate and retrieve a dialing profile for the callee. The dialing profile may be of the type shown in FIG. 11 or 12, for example. Block 602 of FIG. 8A then directs the processor 202 of FIG. 7 to get **call block**, call		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		forward and voicemail records from the database 18 of FIG. 1 based on the user name identified in the callee dialing profile retrieved by the processor at block 600. **Call block**, call forward and voicemail records may be as shown in FIGS. 26, 27, 28 and 30 for example. Referring to FIG. 26, the **call block** records include a user name field 604 and a **block pattern field** 606. The user name field holds a user name corresponding to the user name in the user name field (258 in FIG. 10) of the callee profile and the **block pattern field** 606 holds one or more E.164- compatible		

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Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		numbers or user names identifying PSTN numbers or system subscribers from whom the subscriber identified in the user name field 604 does not wish to receive calls. Referring to FIG. 8A and FIG. 27, block 608 directs the processor 202 of FIG. 7 to determine whether or not the caller identifier received in the RC request message matches a **block pattern** stored in the **block pattern field** 606 of the **call block** record associated with the callee identified by the contents of the user name field 604 in FIG. 26. If the caller identifier matches a block pattern, block		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		610 directs the processor to send a drop call or non-completion message to the call controller (14) and the process is ended. If the caller identifier does not match a **block pattern** associated with the callee, block 609 directs the processor to store the username and domain of the callee, as determined from the callee dialing profile, and a time to live value in the routing message buffer as shown at 650 in FIG. 32. Referring back to FIG. 8A, block 612 then directs the processor 202 to determine whether or not call forwarding is required." '330 Patent at col. 25 l. 63 – col. 26		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		l. 33. • "Referring back to FIG. 8C, block 644 then directs the processor 202 of FIG. 7 to store the IP address of the current node in the routing message buffer as shown at 656 in FIG. 32. Block 646 then directs the processor 202 to send the routing message shown in FIG. 32 to the call controller 14 in FIG. 1. Thus in the embodiment described the routing controller will produce a routing message that will cause at least one of the following: forward the call to another party, **block the call** and direct the caller to a voicemail server." '330 Patent at		

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		col. 27 ll. 33-41. • "Referring to FIG. 34, a subscriber bundle table record is shown generally at 706. The record includes a user name field 708 and a services field 710. The user name field 708 holds a code identifying the subscriber user name and the services field 710 holds codes identifying service features assigned to the subscriber, such as free local calling, **call blocking** and voicemail, for example. FIG. 35 shows an exemplary subscriber bundle record for the Vancouver caller. In this record the user name field 708 is loaded with the user		

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United States District Court for the Northern District of California (Case Nos. 18-cv-6216-LHK and -7020-LHK)

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		name 2001 1050 8667 and the services field 710 is loaded with codes 10, 14 and 16 corresponding to free local calling, call blocking and voicemail, respectively. Thus, user 2001 1050 8667 has free local calling, **call blocking** and voicemail features." '330 Patent at col. 29 ll. 8-21. Extrinsic evidence includes expected expert testimony. An expert is expected to offer the following opinions, based on their expertise, background and experience in the field of electrical engineering, knowledge of the viewpoint of a person of ordinary skill in the art, review of the patents and		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		file histories, and review of the proposed constructions above: 1. One of ordinary skill in the art as of the priority date would be someone with an undergraduate degree in either Computer Science, Computer Engineering, Electrical Engineering, or a closely related discipline. Such a person would also have two years of experience in system-level software development. A greater degree of professional experience could serve to replace some degree of formal education and some greater degree of formal education could serve to replace some degree of professional work		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		experience. 2. A person of ordinary skill in the art would have understood the claim term, viewed in light of the subject patent(s) including the intrinsic evidence identified herein, to have the meanings consistent with the proposed claim construction.		
"internet address" ('330 patent claims 1, 3, 12; '002 patent claims 1, 12, 22, 29)	an address of a network element used in Internet Protocol (IP) communications	Claims: • "1. …classifying the communication, based on the new second participant identifier, as a system communication or an external network communication, using the at least one processor; when the communication is	Public IP Address	Fig. 1; Fig. 2; Fig. 15; Fig. 54; 13:55-63 (Subscribers such as a subscriber in Vancouver and a subscriber in Calgary communicate with the Vancouver Supernode using their own internet service providers which route internet traffic from

VoIP-Pal.com, Inc. v. Apple Inc.; *VoIP-Pal.com, Inc. v. Amazon.com, Inc.*
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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		classified as a system communication, producing a system routing message identifying an **Internet address** associated with the second participant device, using the at least one processor, wherein the system routing message causes the communication to be established to the second participant device; and when the communication is classified as an external network communication, producing an external network routing message identifying an **Internet address** associated with a gateway to an external		these subscribers over the internet shown generally at 13 in FIG. 1. To these subscribers the Vancouver Supernode is accessible at a pre-determined internet protocol (IP) address . . ."); 14:1-50 ("It should be noted that throughout the description of the embodiments of this invention, the IP/UDP addresses of all elements such as the caller and callee telephones, call controller, media relay, and any others, will be assumed to be valid IP/UDP addresses directly accessible via the Internet or a private IP network . . ."); 15:35-40; 16:30-39; 21:57-59; 28:5-43; 35:45-47.

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		network, using the at least one processor, wherein the external network routing message causes the communication to the second participant device to be established using the gateway to the external network." '002 Patent at col. 37 l. 51 – col. 38 l. 2. • "6. The method of claim 5, wherein the **Internet address** associated with the second participant device is based on the user profile associated with the new second participant identifier." '002 Patent at col. 38 ll. 33-6. • "7. The method of claim 2, wherein classifying the		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		communication further comprises causing the at least one processor to: determine whether a user profile associated with the new second participant identifier exists in the database; if a user profile associated with the new second participant identifier does not exist in the database, classify the communication as the external network communication; and if a user profile associated with the new second participant identifier exists in the database, classify the communication as the system communication,		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		wherein the **Internet address** associated with the second participant device is based on the user profile associated with the new second participant identifier." '002 Patent at col. 38, ll. 37-52. • "8. The method of claim 1, further comprising: processing a plurality of communications from the first participant device to a plurality of communication recipient devices to classify each of the plurality of communications as a system communication or an external network communication,		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		wherein the plurality of communications are concurrent; and producing a respective plurality of routing messages, based on the classifying of each respective one of the plurality of communications, each respective routing message identifying an **Internet address** associated with a recipient device or identifying an **Internet address** associated with a gateway to an external network." 002 Patent, col. 38, ll. 53-65. • "10. The method of claim 9, further comprising: processing a plurality		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		of communications from the first participant device to a plurality of communication recipient devices to classify each of the plurality of communications as a system communication or an external network communication, wherein the plurality of communications are concurrent; and producing a respective plurality of routing messages, based on the classifying of each respective one of the plurality of communications, each respective routing message identifying an **Internet address**		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		associated with a recipient device or identifying an **Internet address** associated with a gateway to an external network. 002 Patent, col. 39, ll. 51-63. • "11. The method of claim 9, wherein processing the second participant identifier comprises causing the at least one processor to modify the second participant identifier, based on at least one of the plurality of first participant attributes, to produce the new second participant identifier; wherein producing the system routing message comprises causing the at least one processor		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		to determine the **Internet address** associated with the second participant device based on a user profile for the second participant; and wherein producing the external network routing message comprises causing the at least one processor to select the **Internet address** associated with the gateway to the external network from among a plurality of **Internet address**es associated with a respective plurality of gateways to the external network, and wherein the external network routing message comprises a code		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		identifying a communication supplier associated with the gateway to the external network." 002 Patent, col. 39-40, ll. 64- 16. • "16. The apparatus of claim 15, wherein the at least one processor is further operably configured to: if a user profile associated with the new second participant identifier exists in the database, classify the communication as the system communication, wherein the **Internet address** associated with the second participant device is determined based on the user profile associated with the		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		new second participant identifier." 002 Patent, col. 41, ll. 16-23. • "25. The method of claim 24, wherein the first communication system node is operably configured to establish the communication to the second participant device, the first communication system node being identified by a first **Internet address**, and wherein the second participant device is identified by a second **Internet address** distinct from the first **Internet address**; wherein a user profile for the second participant exists in the database		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		and is associated with communication forwarding information identifying at least one destination device other than the second participant device for the communication; and wherein the first communication system node is operably configured to use the communication forwarding information associated with the second participant to establish the communication to the at least one destination device using at least one **Internet address** that is distinct from the first and second		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		Internet addresses." 002 Patent, col. 42, ll. 13-31. • "30. The apparatus of claim 12, wherein the **Internet address** associated with the second participant device comprises an IP address or domain name of a communication system node associated with the second participant device, the communication system node being one of a plurality of communication system nodes each operably configured to provide communications services to a plurality of communication system subscribers;		

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		and wherein the **Internet address** associated with the gateway to the external network is selected from among a plurality of **Internet address**es associated with a respective plurality of gateways to the external network." 002 Patent, col. 38, ll. 55-67. Detailed Description: • "Subscribers such as a subscriber in Vancouver and a subscriber in Calgary communicate with the Vancouver supernode using their own internet service providers which route internet traffic from these subscribers over the internet shown		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		generally at 13 in FIG. To these subscribers the Vancouver supernode is accessible at a pre-determined **internet protocol (IP) address** or a fully qualified domain name that can be accessed in the usual way through a subscriber's internet service provider. The subscriber in Vancouver uses a telephone 12 that is capable of communicating with the Vancouver supernode 11 using Session Initiation Protocol (SIP) messages and the Calgary subscriber uses a similar telephone 15, in		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		Calgary AB. It should be noted that throughout the description of the embodiments of this invention, the **IP/UDP addresses** of all elements such as the caller and callee telephones, call controller, media relay, and any others, will be assumed to be valid **IP/UDP addresses** directly accessible via the Internet or a private IP network, for example, depending on the specific implementation of the system. As such, it will be assumed, for example, that the caller and callee telephones will have		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		IP/UDP addresses directly accessible by the call controllers and the media relays on their respective supernodes, and those addresses will not be obscured by Network Address Translation (NAT) or similar mechanisms. In other words, the IP/UDP information contained in SIP messages (for example the SIP Invite message or the RC Request message which will be described below) will match the **IP/UDP addresses** of the IP packets carrying these SIP message. It will be appreciated that in many situations, the IP		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		addresses assigned to various elements of the system may be in a private IP address space, and thus not directly accessible from other elements. Furthermore, it will also be appreciated that NAT is commonly used to share a "public" IP address between multiple devices, for example between home PCs and IP telephones sharing a single Internet connection. For example, a home PC may be assigned an IP address such as 192.168.0.101 and a Voice over IP telephone may be assigned an IP address of 192.168.0.103.		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		These addresses are located in so called "non-routable" (IP) address space and cannot be accessed directly from the Internet. In order for these devices to communicate with other computers located on the Internet, these IP addresses have to be converted into a "public" IP address, for example 24.10.10.123 assigned by the Internet Service Provider to the subscriber, by a device performing NAT, typically a home router. In addition to translating the IP addresses, NAT typically also translates UDP port		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		numbers, for example an audio path originating at a VoIP telephone and using a UDP port 12378 at its private IP address, may have been translated to a UDP port 23465 associated with the public IP address of the NAT device. In other words, when a packet originating from the above VoIP telephone arrives at an Internet-based supernode, the source IP/UDP address contained in the IP packet header will be 24.10.10.1:23465, whereas the source IP/UDP address information contained in the SIP message inside this IP packet		

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		will be 192.168.0.103:12378. The mismatch in the IP/UDP addresses may cause a problem for SIP-based VoIP systems because, for example, a supernode will attempt to send messages to a private address of a telephone but the messages will never get there." '330 Patent at col. 13 l. 55 – col. 14 l. 50. • "The parameter memory 38 has a user name field 50, a password field 52, an **IP address** field 53 and a SIP proxy address field 54, for example. The user name field 50 is operable to hold a user name, which in		

	U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]			
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		this case is 2001 1050 8667. The user name is assigned upon subscription or registration into the system and, in this embodiment, includes a twelve digit number having a continent code 61, a country code 63, a dealer code 70 and a unique number code 74. The continent code 61 is comprised of the first or left-most digit of the user name in this embodiment. The country code 63 is comprised of the next three digits. The dealer code 70 is comprised of the next four digits and the unique number code 74 is comprised of the last four digits. The		

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		password field 52 holds a password of up to 512 characters, in this example. The **IP address** field 53 stores an **IP address** of the telephone, which for this explanation is 192.168.0.20. The SIP proxy address field 54 holds an IP protocol compatible proxy address which may be provided to the telephone through the internet connection 48 as part of a registration procedure. The program memory 34 stores blocks of codes for directing the processor 32 to carry out the functions of		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		the telephone, one of which includes a firewall block 56 which provides firewall functions to the telephone, to prevent access by unauthorized persons to the microprocessor 32 and memories 34, 38 and 40 through the internet connection 48. The program memory 34 also stores codes 57 for establishing a call ID. The call ID codes 57 direct the processor 32 to produce a call identifier having a format comprising a hexadecimal string at an **IP address**, the **IP address** being the **IP address** of the telephone. Thus, an		

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Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		exemplary call identifier might be FF10@192.168.0.20. Generally, in response to picking up the handset interface 46 and activating a dialing function 44, the microprocessor 32 produces and sends a SIP invite message as shown in FIG. 3, to the routing controller 16 shown in FIG. 1. This SIP invite message is essentially to initiate a call by a calling subscriber. Referring to FIG. 3, the SIP invite message includes a caller ID field 60, a callee identifier field		

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		62, a digest parameters field 64, a call ID field 65, an **IP address** field 67 and a caller UDP port field 69. In this embodiment, the caller ID field 60 includes the user name 2001 1050 8667 that is the Vancouver user name stored in the user name field 50 of the parameter memory 38 in the telephone 12 shown in FIG. 2. In addition, referring back to FIG. 3, the callee identifier field 62 includes a callee identifier which in this embodiment is the user name 2001 1050 2222 that is the dialed number of the		

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United States District Court for the Northern District of California (Case Nos. 18-cv-6216-LHK and -7020-LHK)

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		Calgary subscriber stored in the dialed number buffer 45 shown in FIG. 2. The digest parameters field 64 includes digest parameters and the call ID field 65 includes a code comprising a generated prefix code (FF10) and a suffix which is the **Internet Protocol (IP) address** of the telephone 12 stored in the IP address field 53 of the telephone. The **IP address** field 67 holds the IP address assigned to the telephone, in this embodiment 192.168.0.20, and the caller UDP port field 69 includes a UDP		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		port identifier identifying a UDP port at which the audio path will be terminated at the caller's telephone." '330 Patent at col. 15 l. 48 – col. 16 l. 39. • "If the authentication procedure is passed, block 121 directs the call controller circuit 100 to determine whether or not the contents of the caller ID field 60 of the SIP invite message received from the telephone is an **IP address**. If it is an **IP address**, then block 123 directs the call controller circuit 100 to set the contents of a type field variable maintained by the		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		microprocessor 102 to a code representing that the call type is a third party invite. If at block 121 the caller ID field contents do not identify an **IP address**, then block 125 directs the microprocessor to set the contents of the type field to a code indicating that the call is being made by a system subscriber." '330 Patent at col. 17 ll. 31-51. • "Then, block 350 of FIG. 8A directs the processor (202 of FIG. 7) to produce a routing message identifying an address on the private network with which the callee identified		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		by the contents of the callee ID buffer is associated and to set a time to live for the call at a maximum value of 99999, for example. Thus the routing message includes a caller identifier, a call identifier set according to a user name associated with the located DID bank table record and includes an identifier of a node on the private network with which the callee is associated. The node in the system with which the callee is associated is		

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United States District Court for the Northern District of California (Case Nos. 18-cv-6216-LHK and -7020-LHK)

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		determined by using the callee identifier to address a supernode table having records of the type as shown at 370 in FIG. 17. Each record 370 has a prefix field 372 and a supernode address field 374. The prefix field 372 includes the first n digits of the callee identifier. In this embodiment n=2. The supernode address field 374 holds a code representing the **IP address** or a fully qualified domain name of the node associated with the code stored in the callee identifier prefix field 372.		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		Referring to FIG. 18, for example, if the prefix is 20, the supernode address associated with that prefix is sp.yvr.digifonica.com Referring to FIG. 15, a generic routing message is shown generally at 352 and includes an optional supplier prefix field 354, and optional delimiter field 356, a callee user name field 358, at least one route field 360, a time to live field 362 and other fields 364. The optional supplier prefix field 354 holds a code for identifying supplier traffic. The optional delimiter		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		field 356 holds a symbol that delimits the supplier prefix code from the callee user name field 358. In this embodiment, the symbol is a number sign (#). The route field 360 holds a domain name or **IP address** of a gateway or node that is to carry the call, and the time to live field 362 holds a value representing the number of seconds the call is permitted to be active, based on subscriber available minutes and other billing parameters." '330 Patent at col. 21 ll. 24-60.		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		• "Referring to FIG. 21, a data structure for a supplier list record is shown. Supplier list records include a supplier ID field 540, a master list ID field 542, an optional prefix field 544, a specific route identifier field 546, a NDD/IDD rewrite field 548, a rate field 550, and a timeout field 551. The supplier ID field 540 holds a code identifying the name of the supplier and the master list ID field 542 holds a code for associating the supplier record with a master list record. The prefix field 544 holds a string used to identify the supplier traffic and the specific		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		route identifier field 546 holds an **IP address** of a gateway operated by the supplier indicated by the supplier ID field 540." '330 Patent at col. 24 ll. 51-62. • "Referring back to FIG. 8C, block 644 then directs the processor 202 of FIG. 7 to store the **IP address** of the current node in the routing message buffer as shown at 656 in FIG. 32. Block 646 then directs the processor 202 to send the routing message shown in FIG. 32 to the call controller 14 in FIG. 1. Thus in the embodiment described the routing controller will produce a routing		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		message that will cause at least one of the following: forward the call to another party, block the call and direct the caller to a voicemail server. '330 Patent at col. 24 ll. 51-62." '330 Patent at col. 27 ll. 33-41. • Where a routing message of the type shown in FIG. 32 is received by the call controller 14, the routing to gateway routine 122 shown in FIG. 4 may direct the processor 102 to cause a message to be sent back through the internet 13 shown in FIG. 1 to the callee telephone 15, knowing the **IP address** of the callee telephone 15 from the user name.		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		'330 Patent at col. 27 ll. 33-41. • "If the routing message is of the type shown in FIG. 25 where there are a plurality of gateway suppliers available, the call controller sends a SIP invite message to the first supplier, in this case Telus, using a dedicated line or an internet connection to determine whether or not Telus is able to handle the call. If the Telus gateway returns a message indicating it is not able to handle the call, the call controller 14 then proceeds to send a SIP invite message to the next supplier, in this case Shaw. The process is repeated		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		until one of the suppliers responds indicating that it is available to carry the call. Once a supplier responds indicating that it is able to carry the call, the supplier sends back to the call controller 14 an **IP address** for a gateway provided by the supplier through which the call or audio path of the call will be carried. This **IP address** is sent in a message from the call controller 14 to the media relay 9 which responds with a message indicating an **IP address** to which the caller telephone should send its audio/video, traffic and an IP address to		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		which the gateway should send its audio/video for the call. The call controller conveys the **IP address** at which the media relay expects to receive audio/video from the caller telephone, to the caller telephone 12 in a message. The caller telephone replies to the call controller with an **IP address** at which it would like to receive audio/video and the call controller conveys that IP address to the media relay. The call may then be conducted between the caller and callee through the media relay and gateway.		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		Referring back to FIG. 1, if the call controller 14 receives a routing message of the type shown in FIG. 32, and which has at least one call forwarding number and/or a voicemail number, the call controller attempts to establish a call to the callee telephone 15 by seeking from the callee telephone a message indicating an IP address to which the media relay should send audio/video. If no such message is received from the callee telephone, no call is established. If no call is established within a pre-determined time, the call controller 14		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		attempts to establish a call with the next user identified in the call routing message in the same manner. This process is repeated until all call forwarding possibilities have been exhausted, in which case the call controller communicates with the voicemail server 19 identified in the routing message to obtain an **IP address** to which the media relay should send audio/video and the remainder of the process mentioned above for establishing **IP addresses** at the media relay 9 and the caller telephone is carried out to establish audio/video paths to		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		allowing the caller to leave a voicemail message with the voicemail server. When an audio/video path through the media relay is established, a call timer maintained by the call controller 14 logs the start date and time of the call and logs the call ID and an identification of the route (i.e., audio/video path IP address) for later use in billing." '330 Patent at col. 27 l. 62 – col. 28 l. 46. Extrinsic evidence includes expected expert testimony. An expert is expected to offer the following opinions, based on their expertise, background and experience in the field of		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		electrical engineering, knowledge of the viewpoint of a person of ordinary skill in the art, review of the patents and file histories, and review of external the proposed constructions above: 1. One of ordinary skill in the art as of the priority date would be someone with an undergraduate degree in either Computer Science, Computer Engineering, Electrical Engineering, or a closely related discipline. Such a person would also have two years of experience in system-level software development. A greater degree of professional experience could serve to replace some degree of formal education and some		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		greater degree of formal education could serve to replace some degree of professional work experience. 2. A person of ordinary skill in the art would have understood the claim term, viewed in light of the subject patent(s) including the intrinsic evidence identified herein, to have the meanings consistent with the proposed claim construction. Extrinsic Evidence: McGraw-Hill Dictionary of Scientific and Technical Terms, 2003 (at p. 36). McGraw-Hill Dictionary of Scientific and Technical Terms, 2003 (at p. 1101).		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		Webster's II New College Dictionary, 2005 (at p. 593). "address, n." OED Online, Oxford University Press, 2019. "Internet, n." OED Online, Oxford University Press, 2019.		
"first network classification criterion" / "second network classification criterion" / "third network classification criterion" ('762 patent claims 1, 2, 6, 21, 25, 26)	Plain and ordinary meaning. For example: a test used to classify a network communication.	See '762 Patent Claims 1, 19 21, 25, 41, 43. Claims: • "1. A method of routing communications in a system in which a first participant identifier is associated with a first participant registered with the system and wherein a second participant identifier is associated with a second participant, the first participant being	Indefinite	Abstract ("Call classification criteria associated with the caller identifier are used to classify the call as a public network call or a private network call."); 1:63-66 ("The process also involves using call classification criteria associated with the caller identifier to classify the call as a public network call or a private network call.");

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		associated with a first participant device operable to establish a communication using the system to a second participant device associated with the second participant, the system comprising at least one processor operably configured to execute program code stored in at least one memory, the method comprising: in response to the first participant device initiating the communication to the second participant device, receiving the first participant identifier and the second participant identifier from the first participant device; using the first participant identifier to		2:9-11 ("Using the call classification criteria may involve searching a database to locate a record identifying calling attributes associated with a caller identified by the caller identifier."); 2:16-18 ("Using the call classification criteria may involve comparing calling attributes associated with the caller dialing profile with aspects of the callee identifier."); 3:67-4:4 ("The apparatus also includes classifying provisions for classifying the call as a private network call or a public network call according to call classification criteria associated with the caller identifier.");

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		locate, via the at least one processor, a first participant profile from among a plurality of participant profiles that are stored in a database, the first participant profile comprising one or more attributes associated with the first participant; processing the second participant identifier, via the at least one processor, based on at least one of the one or more attributes from the first participant profile, to produce a new second participant identifier; classifying the communication, via the at least one processor, using the new second participant identifier, as a first network communication if a		14:66-15:4 ("The process involves… using call classification criteria associated with the calling subscriber to classify the call as a public network call or a private network call…."); 23:40-42 ("Effectively, therefore blocks 257, 380, 390, 396 and 402 establish call classification criteria for classifying the call as a public network call or a private network call."); 23:42-45 ("Block 269 classifies the call, depending on whether or not the formatted callee identifier has a DID bank table record and this depends on how the call classification criteria are met…..");

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		first network classification criterion is met and as a second network communication if a second network classification criterion is met; when the **first network classification criterion** is met, producing, via the at least one processor, a first network routing message, the first network routing message identifying an address in the system, the address being associated with the second participant device; and when the **second network classification criterion** is met, producing, via the at least one processor, a second network routing		'762 patent cl. 1 ("classifying the communication, via the at least one processor, using the new second participant identifier, as a first network communication if a first network classification criterion is met and as a second network communication if a second network classification criterion is met; when the first network classification criterion is met, producing, via the at least one processor, a first network routing message, the first network routing message identifying an address in the system, the address being associated with the second participant device; and when the second network classification criterion is met, producing,

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		message, the second network routing message identifying an address associated with a gateway to a network external to the system, wherein the **second network classification criterion** is met if the second participant is not registered with the system." '762 Patent at claim 1. • 2. The method of claim 1, further comprising determining, based on at least one of the one or more attributes, whether a **third network classification criterion** is met, and when the **third network classification criterion** is met, producing an error message that prevents the communication		via the at least one processor, a second network routing message, the second network routing message identifying an address associated with a gateway to a network external to the system, wherein the second network classification criterion is met if the second participant is not registered with the system."); '762 patent cl. 2 ("The method of claim 1, further comprising determining, based on at least one of the one or more attributes, whether a third network classification criterion is met, and when the third network classification criterion is met, producing an error message that prevents the

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		from being established. '762 Patent at claim 2. • 6. The method of claim 2, wherein if the **third network classification criterion** is met, the error message is sent to a call controller. • 14. The method of claim 1, wherein the **classifying comprises**: causing a database of records to be searched with the new second participant identifier and determining whether the second participant is registered with the system. '762 Patent at claim 14. • 15. The method of claim 14, wherein the classifying further comprises: classifying the communication as the first network		communication from being established."); '762 patent cl. 6 ("The method of claim 2, wherein if the third network classification criterion is met, the error message is sent to a call controller."); '762 patent cl. 21 ("when at least one of the one or more attributes and at least a portion of the second participant identifier meet a first network classification criterion, producing, via the at least one processor, a first network routing message, the first network routing message identifying an address in the system, the address being associated with the second participant device; when at least one of the one or more

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		communication if a record is found in the database and classifying the communication as the second network communication if the record is not found in the database. '762 Patent at claim 15. Detailed Descriptions: • "Generally, the RC 16 executes a process to facilitate communication between callers and callees. The process involves, in response to initiation of a call by a calling subscriber, receiving a callee identifier from the calling subscriber, using call classification criteria associated with the calling subscriber to		attributes and at least a portion of the second participant identifier meet a second network classification criterion, producing, via the at least one processor, a second network routing message, the second network routing message identifying an address associated with a gateway to a network external to the system, wherein the second network classification criterion is met if the second participant is not registered with the system; and when at least one of the one or more attributes meets a third network classification criterion, producing, via the at least one processor, an error message and causing prevention of the communication from being

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		classify the call as a public network call or a private network call and producing a routing message identifying an address on the private network, associated with the callee when the call is classified as a private network call and producing a routing message identifying a gateway to the public network when the call is classified as a public network call." '762 Patent at col. 14 l. 65 – col. 15 l. 9. • "Referring back to FIG. 8A, after retrieving a dialing profile for the caller, such as shown at 276 in FIG. 10, the RC processor circuit 200 is directed to block 256 which directs the processor circuit (200)		established."); '762 patent cl. 25 ("classify the communication, using the new second participant identifier, as a first network communication if a first network classification criterion is met and as a second network communication if a second network classification criterion is met; produce a first network routing message when a first network classification criterion is met, the first network routing message identifying an address in the system, the address being associated with the second participant device; and produce a second network routing message when the second network

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		to determine whether the contents of the concurrent call field 277 are less than the contents of the maximum concurrent call field 275 of the dialing profile for the caller and, if so, block 271 directs the processor circuit to increment the contents of the concurrent call field 277. If the contents of concurrent call field 277 are equal to or greater than the contents of the maximum concurrent call field 275, block 259 directs the processor circuit 200 to *send an error message* back to the call controller (14) to cause the call controller to notify the caller that the		classification criterion is met, the second network routing message identifying an address associated with a gateway to a network external to the system, herein the second network classification criterion is met if the second participant is not registered with the system."); '762 patent cl. 26 ("The system of claim 25, wherein the at least one processor is further operably configured to determine, based on at least one of the one or more attributes, if a third network classification criterion is met, and when the third network classification criterion is met, the at least one processor is further

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		maximum number of concurrent calls has been reached and no further calls can exist concurrently, including the presently requested call." '762 Patent at col. 20 ll. 14-29. • "Referring back to FIG. 8B, if at block 396, the callee identifier has a length that does not fall within the range specified by the caller minimum local number length field (268 in FIG. 10) and the caller maximum local number length field (270 in FIG. 10), block 402 directs the processor 202 of FIG. 7 to determine whether or not the callee identifier identifies a valid user name. To do this, the processor 202 searches		operably configured to produce an error message that causes prevention of the communication from being established.").

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		through the database (18 of FIG. 10) of dialing profiles to find a dialing profile having user name field contents (258 in FIG. 10) that match the callee identifier. If no match is found, block 404 directs the processor (202) to *send an error message* back to the call controller (14)." '762 Patent at col. 23 ll. 6-18. • "From FIG. 8B, it will be appreciated that there are certain groups of blocks of codes that direct the processor 202 in FIG. 7 to determine whether the callee identifier has certain features such as an international dialing digit, a national dialing digit, an area code and		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		a length that meet certain criteria, and cause the processor 202 to reformat the callee identifier stored in the callee ID buffer 211, as necessary into a predetermined target format including only a country code, area code, and a normal telephone number, for example, to cause the callee identifier to be compatible with the E.164 number plan standard in this embodiment. This enables block 269 in FIG. 8B to have a consistent format of callee identifiers for use in searching through the DID bank table records of the type shown in FIG. 13 to determine how to route calls for		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		subscriber to subscriber calls on the same system. Effectively, therefore blocks 257, 380, 390, 396 and 402 establish **call classification criteria** for classifying the call as a public network call or a private network call. Block 269 classifies the call, depending on whether or not the formatted callee identifier has a DID bank table record and this depends on how the **call classification criteria** are met and block 402 directs the processor 202 of FIG. 7 to **classify the call as a private network call when the callee identifier complies with a pre- defined**		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		format, i.e., is a valid user name and identifies a subscriber to the private network, after the callee identifier has been subjected to the classification criteria of blocks 257, 380, 390 and 396. '762 Patent at col. 23 ll. 25-51. • "Not all calls will be subscriber to subscriber calls and this will be detected by the processor 202 of FIG. 7 when it executes block 269 in FIG. 8B, and does not find a DID bank table record that is associated with the callee, in the DID bank table. **When this occurs, the call is classified as a public network** call by directing the processor		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		202 to block 408 of FIG. 8B which causes it to set the contents of the callee ID buffer 211 of FIG. 7 equal to the newly formatted callee identifier, i.e., a number compatible with the E.164 standard. Then, block 410 of FIG. 8B directs the processor (202) to search a database of route or master list records associating route identifiers with dialing codes shown in FIG. 19 to locate a router having a dialing code having a number pattern matching at least a portion of the reformatted callee identifier." '762 Patent at col. 23 ll. 53-67. Extrinsic evidence includes expected expert testimony.		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		An expert is expected to offer the following opinions, based on their expertise, background and experience in the field of electrical engineering, knowledge of the viewpoint of a person of ordinary skill in the art, review of the patents and file histories, and review of the proposed constructions above: 1. One of ordinary skill in the art as of the priority date would be someone with an undergraduate degree in either Computer Science, Computer Engineering, Electrical Engineering, or a closely related discipline. Such a person would also have two years of experience in system-level software development.		

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		A greater degree of professional experience could serve to replace some degree of formal education and some greater degree of formal education could serve to replace some degree of professional work experience. 2. A person of ordinary skill in the art would have understood the claim term, viewed in light of the subject patent(s) including the intrinsic evidence identified herein, to have the meanings consistent with the proposed claim construction. Extrinsic Evidence: McGraw-Hill Dictionary		

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		of Scientific and Technical Terms, 2003 (at p. 1415). Webster's II New College Dictionary, 2005 (at p. 212). Webster's II New College Dictionary, 2005 (at p. 274) Webster's II New College Dictionary, 2005 (at p. 752). "network, n. and adj." OED Online, Oxford University Press, 2019. "classification, n." OED Online, Oxford University Press, 2019.		
"call controller" ('762 patent claim 6)	apparatus that establishes a communication within a network or between networks	See '762 Patent Claim 6. See Figs. 4, 5, 6, 15, 51, 53. Summary of the Invention:	an entity separate from the participant devices	'815 4/29/13 Remarks Made in an Amendment at 36-37 (explaining that a prior art's signal to a IP telephony device is distinct from the patent's routing message to a call

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		• "The process may involve receiving a request to establish a call, from a **call controller** in communication with a caller identified by the callee identifier." '762 Patent at col. 2 ll. 6-8. • "When the node associated with the caller is not the same as the node associated with the callee, the process involves producing a routing message including the caller identifier, the reformatted callee identifier and an identification of a private network node associated with the callee and communicating the routing message to a		controller, emphasizing that a call controller is not the IP telephone, while also noting that the call controller and call routing controller are two different entities); '005 5/15/15 Reply to Non-Final Office Action at 29 ("Applicant respectfully submits call manager 26a in LAN 20a is not a call controller because that would mean that the call manager both produces and receives a private network routing message. There is no disclosure in Alexander that the call manager sends a private network routing message to itself. Therefore, Alexander's "call manager" does not and cannot correlate to the call controller recited in Claim 1.");

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		call controller." '762 Patent at col. 3 ll. 14-9. • "The process may involve communicating a routing message involving the contents of the routing message buffer to a **call controller**." '762 Patent at col. 3 ll. 51-3. • "The receiving provisions may be operably configured to receive a request to establish a call, from a **call controller** in communication with a caller identified by the callee identifier." '762 Patent at col. 4 ll. 11-4. • "The private network routing message producing provisions may be operably configured to produce a routing message including the caller		Fig. 1; 13:55-59; Fig 4; 16:40-50; 14:55-60 ("FIG. 51 is a tabular representation of a SIP bye message transmitted from either of the telephones shown in FIG. 1 to the call controller").

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		identifier, the reformatted callee identifier and an identification of a private network node associated with the callee and to communicate the routing message to a **call controller**." '762 Patent at col. 5 ll. 30-5. Brief Description of the Drawings: • "FIG. 4 is a block diagram of a **call controller** shown in FIG. 1." '762 Patent at col. 11 ll. 16-7. • "FIG. 5 is a flowchart of a process executed by the **call controller** shown in FIG. 1" '762 Patent at col. 11 ll. 18-9. • "FIG. 6 is a schematic		

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		representation of a routing, billing and rating (RC) request message produced by the **call controller** shown in FIG. 1." '762 Patent at col. 11 ll. 20-2. • "FIG. 15 is a tabular representation of a routing message transmitted from the RC to the **call controller** shown in FIG. 1." '762 Patent at col. 11 ll. 45-7. • "FIG. 51 is a tabular representation of a SIP bye message transmitted from either of the telephones shown in FIG. 1 to the **call controller**." '762 Patent at col. 12 ll. 60-2. • "FIG. 53 is a flowchart of a process executed		

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		by the **call controller** for producing an RC stop message in response to receipt of a SIP bye message." '762 Patent at col. 12 ll. 66-7. Detailed Description: • "It should be noted that throughout the description of the embodiments of this invention, the IP/UDP addresses of all elements such as the caller and callee telephones, call controller, media relay, and any others, will be assumed to be valid IP/UDP addresses directly accessible via the Internet or a private IP network, for example, depending on		

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		the specific implementation of the system. As such, it will be assumed, for example, that the caller and callee telephones will have IP/UDP addresses directly accessible by the **call controllers** and the media relays on their respective supernodes, and those addresses will not be obscured by Network Address Translation (NAT) or similar mechanisms. In other words, the IP/UDP information contained in SIP messages (for example the SIP Invite message or the RC Request message which will be described below) will match the IP/UDP addresses of the IP		

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		packets carrying these SIP messages." '762 Patent at col. 14 ll. 1-17. • "Referring to FIG. 1, in an attempt to make a call by the Vancouver telephone/videophone 12 to the Calgary telephone/videophone 15, the Vancouver telephone/videophone sends a SIP invite message to the Vancouver supernode 11 and in response, the **call controller** 14 sends an RC request message to the RC 16 which makes various enquiries of the database 18 to produce a routing message which is sent back to the **call controller** 14. The **call controller** 14 then communicates		

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		with the media relay 9 to cause a communications link including an audio path and a videophone (if a videopath call) to be established through the media relay to the same node, a different node or to a communications supplier gateway as shown generally at 20 to carry audio, and where applicable, video traffic to the call recipient or callee." '762 Patent at col. 14 ll. 51-64. • "The processor 32 stores the callee identifier in a dialled number buffer 45. In this case, assume the dialled number is 2001 1050 2222 and that it is a number associated with the Calgary		

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		subscriber. The I/O port 36 also has a handset interface 46 for receiving and producing signals from and to a handset that the user may place to his ear. This interface 46 may include a BLUETOOTH.TM. wireless interface, a wired interface or speaker phone, for example. The handset acts as a termination point for an audio path (not shown) which will be appreciated later. The I/O port 36 also has an internet connection 48 which is preferably a high speed internet connection and is operable to connect the telephone/videophone to an internet service		

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		provider. The internet connection 48 also acts as a part of the voice path, as will be appreciated later. It will be appreciated that where the subscriber device is a videophone, a separate video path is established in the same way an audio path is established. For simplicity, the following description refers to a telephone call, but it is to be understood that a videophone call is handled similarly, with the **call controller** causing the media relay to facilitate both an audio path and a video path instead of only an audio path." '762 Patent at col. 15 ll. 26-47.		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		• "Referring to FIG. 4, a **call controller** circuit of the call controller 14 (FIG. 1) is shown in greater detail at 100. The **call controller** circuit 100 includes a microprocessor 102, program memory 104 and an I/O port 106. The circuit 100 may include a plurality of microprocessors, a plurality of program memories and a plurality of I/O ports to be able to handle a large volume of calls. However, for simplicity, the **call controller** circuit 100 will be described as having only one microprocessor 102, program memory 104 and I/O port 106, it being understood that		

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		there may be more." '762 Patent at col. 15 ll. 41-50. • "The program memory 104 includes blocks of code for directing the microprocessor 102 to carry out various functions of the **call controller** 14. For example, these blocks of code include a first block 120 for causing the **call controller** circuit 100 to execute a SIP invite to RC request process to produce an RC request message in response to a received SIP invite message. In addition, there is a routing message to gateway message block 122 which causes the **call controller** circuit 100 to produce a gateway		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		query message in response to a received routing message from the RC 16." '762 Patent at col. 17 ll. 6-15. • "Referring to FIG. 5, the SIP invite to RC request process is shown in more detail at 120. On receipt of a SIP invite message of the type shown in FIG. 3, block 122 of FIG. 5 directs the **call controller** circuit 100 of FIG. 4 to authenticate the user. This may be done, for example, by prompting the user for a password, by sending a message back to the telephone 12 which is interpreted at the telephone as a request for a password entry or the password		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		may automatically be sent to the **call controller** 14 from the telephone, in response to the message. The **call controller** 14 may then make enquiries of databases to which it has access, to determine whether or not the user's password matches a password stored in the database. Various functions may be used to pass encryption keys or hash codes back and forth to ensure that the transmittal of passwords is secure." '762 Patent at col. 17 ll. 16-30. • "Should the authentication process fail, the **call controller** circuit 100 is directed to an error handling		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		routine 124 which causes messages to be displayed at the telephone 12 to indicate there was an authentication problem. If the authentication procedure is passed, block 121 directs the **call controller** circuit 100 to determine whether or not the contents of the caller ID field 60 of the SIP invite message received from the telephone is an IP address. If it is an IP address, then block 123 directs the **call controller** circuit 100 to set the contents of a type field variable maintained by the microprocessor 102 to a code representing that the call type is a third		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		party invite. If at block 121 the caller ID field contents do not identify an IP address, then block 125 directs the microprocessor to set the contents of the type field to a code indicating that the call is being made by a system subscriber. Then, block 126 directs the **call controller** circuit to read the call identifier 65 provided in the SIP invite message from the telephone 12, and at block 128 the processor is directed to produce an RC request message that includes that call ID. Block 129 then directs the **call controller** circuit 100 to send the RC request to the RC 16." '762		

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		Patent at col. 17 ll. 31-51. • "The I/O port 208 includes a database request port 210 through which a request to the database (18 shown in FIG. 1) can be made and includes a database response port 212 for receiving a reply from the database 18. The I/O port 208 further includes an RC request message input 214 for receiving the RC request message from the **call controller** (14 shown in FIG. 1) and includes a routing message output 216 for sending a routing message back to the **call controller** 14 The I/O port 208 thus acts to receive caller		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		identifier and a callee identifier contained in the RC request message from the **call controller**, the RC request message being received in response to initiation of a call by a calling subscriber." '762 Patent at col. 17, ll. 7-18. • "Referring back to FIG. 8C, block 644 then directs the processor 202 of FIG. 7 to store the IP address of the current node in the routing message buffer as shown at 656 in FIG. 32. Block 646 then directs the processor 202 to send the routing message shown in FIG. 32 to the **call controller** 14 in FIG. 1. Thus in the		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		embodiment described the routing controller will produce a routing message that will cause at least one of the following: forward the call to another party, block the call and direct the caller to a voicemail server." '762 Patent at col. 27 ll. 35-47. • "Referring back to FIG. 1, the routing message whether of the type shown in FIG. 16, 25 or 32, is received at the **call controller** 14 and the **call controller** interprets the receipt of the routing message as a request to establish a call." '762 Patent at col. 27 ll. 44-7. • "Referring to FIG. 4, the program memory 104 of the **call**		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		controller 14 includes a routing to gateway routine depicted generally at 122." '762 Patent at col. 26 ll. 48-50. • "Where a routing message of the type shown in FIG. 32 is received by the **call controller** 14, the routing to gateway routine 122 shown in FIG. 4 may direct the processor 102 to cause a message to be sent back through the internet 13 shown in FIG. 1 to the callee telephone 15, knowing the IP address of the callee telephone 15 from the user name." '762 Patent at col. 27 ll. 51-6. • "Alternatively, if the routing message is of		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		the type shown in FIG. 16, which identifies a domain associated with another node in the system, the **call controller** may send a SIP invite message along the high speed backbone 17 connected to the other node. The other node functions as explained above, in response to receipt of a SIP invite message." '762 Patent at col. 27 ll. 57-63. • "If the routing message is of the type shown in FIG. 25 where there are a plurality of gateway suppliers available, the **call controller** sends a SIP invite message to the first supplier, in this case Telus, using a dedicated line or an internet connection to		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		determine whether or not Telus is able to handle the call. If the Telus gateway returns a message indicating it is not able to handle the call, the **call controller** 14 then proceeds to send a SIP invite message to the next supplier, in this case Shaw. The process is repeated until one of the suppliers responds indicating that it is available to carry the call. Once a supplier responds indicating that it is able to carry the call, the supplier sends back to the **call controller** 14 an IP address for a gateway provided by the supplier through which the call or audio path of the call will be carried.		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		This IP address is sent in a message from the **call controller** 14 to the media relay 9 which responds with a message indicating an IP address to which the caller telephone should send its audio/video, traffic and an IP address to which the gateway should send its audio/video for the call. The **call controller** conveys the IP address at which the media relay expects to receive audio/video from the caller telephone, to the caller telephone 12 in a message. The caller telephone replies to the **call controller** with an IP address at which it would like to receive audio/video and the		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		call controller conveys that IP address to the media relay. The call may then be conducted between the caller and callee through the media relay and gateway. '762 Patent at col. 27 l. 64 - col. 28 l. 23. • "Referring back to FIG. 1, if the **call controller** 14 receives a routing message of the type shown in FIG. 32, and which has at least one call forwarding number and/or a voicemail number, the call controller attempts to establish a call to the callee telephone 15 by seeking from the callee telephone a message indicating an IP address to which the		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		media relay should send audio/video. If no such message is received from the callee telephone, no call is established. If no call is established within a pre-determined time, the **call controller** 14 attempts to establish a call with the next user identified in the call routing message in the same manner. This process is repeated until all call forwarding possibilities have been exhausted, in which case the **call controller** communicates with the voicemail server 19 identified in the routing message to obtain an IP address to which the media relay should send audio/video and		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		the remainder of the process mentioned above for establishing IP addresses at the media relay 9 and the caller telephone is carried out to establish audio/video paths to allowing the caller to leave a voicemail message with the voicemail server." '762 Patent at col. 28 ll. 24-43. • "When an audio/video path through the media relay is established, a call timer maintained by the **call controller** 14 logs the start date and time of the call and logs the call ID and an identification of the route (i.e., audio/video path IP address) for later use in billing." '762 Patent at col. 28		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		ll. 44-8. Extrinsic evidence includes expected expert testimony. An expert is expected to offer the following opinions, based on their expertise, background and experience in the field of electrical engineering, knowledge of the viewpoint of a person of ordinary skill in the art, review of the patents and file histories, and review of the proposed constructions above: 1. One of ordinary skill in the art as of the priority date would be someone with an undergraduate degree in either Computer Science, Computer Engineering, Electrical Engineering,		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		or a closely related discipline. Such a person would also have two years of experience in system-level software development. A greater degree of professional experience could serve to replace some degree of formal education and some greater degree of formal education could serve to replace some degree of professional work experience. 2. A person of ordinary skill in the art would have understood the claim term, viewed in light of the subject patent(s) including the intrinsic evidence identified herein, to have the meanings consistent with the proposed claim		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		construction. Extrinsic Evidence: McGraw-Hill Dictionary of Scientific and Technical Terms, 2003 (at p. 169). McGraw-Hill Dictionary of Scientific and Technical Terms, 2003 (at p. 480). Webster's II New College Dictionary, 2005 (at p. 315). "controller, n." OED Online, Oxford University Press, 2019.		
"communication system node" ('330 patent claims 1, 3, 12)	at least one network element that is part of a communication system and is associated with providing communication services to a plurality of subscribers of the	See '330 Patent Claims 1, 3, 12, 18, 21, 28. See Fig. 1, 17, 18. Background of the Invention:	Indefinite	Fig. 1; Fig. 13; Fig. 16; 3:1-25 ("Producing the routing message identifying a node on the private network may involve setting a callee identifier in response to a user name associated with

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
	communication system	• "IP telephony switches installed within the IP network enable voice calls to be made within or between IP networks, and between an IP network and a switched circuit network (SCN), such as the public switched telephone network (PSTN). If the IP switch supports the Signaling **System** 7 (SS7) protocol, the IP telephone can also access PSTN databases." '330 Patent at col. 1 ll. 28-34. Summary of the Invention: • "In accordance with one aspect of the invention, there is provided a process for		the DID bank table record. Producing the routing message may involve determining whether a node associated with the reformatted callee identifier is the same as a node associated the caller identifier. Determining whether a node associated with the reformatted callee identifier is the same as a node associated the caller identifier may involve determining whether a prefix of the reformatted callee identifier matches a corresponding prefix of a user name associated with the caller dialing profile."); 23:35-40. Newton's

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		operating a call routing controller to facilitate communication between callers and callees in a **system comprising a plurality of nodes** with which callers and callees are associated." '330 Patent at col. 1 ll. 56- 60. • "Producing the routing message identifying a **node** on the private network may involve setting a callee identifier in response to a username associated with the DID bank table record. Producing the routing message may involve determining whether a **node** associated with the reformatted callee identifier is the same as a node associated with		Telecommunications Dictionary 21st Edition at 587 (defining "node" as "A point of connection into a network. . . . In packet switched networks, it' one of the many packet switches which form the network's backbone."). Hargave's Communications Dictionary at 355 (defining "node" as "In networks, any device (such as a computer) connected to the network which is capable of communicating with other network devices. Each *node* has a unique address that identifies that device to all others on the network.")

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		the caller identifier. Determining whether a **node** associated with the reformatted callee identifier is the same as a **node** associated the caller identifier may involve determining whether a prefix of the re-formatted callee identifier matches a corresponding prefix of a username associated with the caller dialing profile. When the **node** associated with the caller is not the same as the node associated with the callee, the process involves producing a routing message including the caller identifier, the reformatted callee identifier and an		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		identification of a **private network node** associated with the callee and communicating the routing message to a call controller. When the **node** associated with the caller is the same as the **node** associated with the callee, the process involves determining whether to perform at least one of the following: forward the call to another party, block the call and direct the caller to a voicemail server associated with the callee." '330 Patent at col. 3 ll. 1-26. • "In accordance with another aspect of the invention, there is provided a call routing		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		apparatus for facilitating communications between callers and callees in a system comprising a plurality of **nodes** with which callers and callees are associated." '330 Patent at col. 3 ll. 62-66. Brief Description of the Drawings: • "FIG. 1 is a block diagram of a system according to a first embodiment of the invention" '330 Patent at col. 11 ll. 9- 10. • "FIG. 17 is a tabular representation of a prefix to supernode table record stored in the database shown in FIG. 1;		

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Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		• FIG. 18 is a tabular representation of a prefix to supernode table record that would be used for the Calgary callee referenced in FIG. 11;" '330 Patent at col. 11 ll. 51-5. Detailed Description: • "Referring to FIG. 1, a system for making voice over IP telephone/videophone calls is shown generally at 10. The system includes a first super **node** shown generally at 11 and a second super **node** shown generally at 21. The first super **node** 11 is located in geographical area, such as Vancouver, B.C., Canada for example		

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Claim Element	***VoIP-Pal's Proposed Construction***	***VoIP-Pal's Evidence***	***Defendants' Proposed Construction***	***Defendants' Evidence***
		and the second super **node** 21 is located in London, England, for example. Different super nodes may be located in different geographical regions throughout the world to provide telephone/videophone service to subscribers in respective regions. These super **nodes** may be in communication with each other by high speed/high data throughput links including optical fiber, satellite and/or cable links, forming a backbone to the system. These super **nodes** may alternatively or, in addition, be in communication with each other through conventional internet		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		services." '330 Patent at col. 13 ll. 20-34. • "A dialing profile of the type shown in FIG. 9 is produced whenever a user registers with the system or agrees to become a subscriber to the **system**. Thus, for example, a user wishing to subscribe to the **system** may contact an office maintained by a **system** operator and personnel in the office may ask the user certain questions about his location and service preferences, whereupon tables can be used to provide office personnel with appropriate information to be entered into the user name 258, domain 260, NDD 262, IDD 264, country code 266,		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		local area codes 267, caller minimum and maximum local length fields 268 and 270 reseller field 273 and concurrent call fields 275 and 277 to establish a dialing profile for the user." '330 Patent at col. 19 ll. 37-49. Extrinsic evidence includes expected expert testimony. An expert is expected to offer the following opinions, based on their expertise, background and experience in the field of electrical engineering, knowledge of the viewpoint of a person of ordinary skill in the art, review of the patents and file histories, and review of the proposed constructions		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		above: 1. One of ordinary skill in the art as of the priority date would be someone with an undergraduate degree in either Computer Science, Computer Engineering, Electrical Engineering, or a closely related discipline. Such a person would also have two years of experience in system-level software development. A greater degree of professional experience could serve to replace some degree of formal education and some greater degree of formal education could serve to replace some degree of professional work experience. 2. A person of ordinary		

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		skill in the art would have understood the claim term, viewed in light of the subject patent(s) including the intrinsic evidence identified herein, to have the meanings consistent with the proposed claim construction. Extrinsic Evidence: McGraw-Hill Dictionary of Scientific and Technical Terms, 2003 (at p. 1429). McGraw-Hill Dictionary of Scientific and Technical Terms, 2003 (at p. 2092). Webster's II New College Dictionary, 2005 (at p. 233). Webster's II New College Dictionary, 2005 (at p. 1146). "communication, n." OED		

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		Online, Oxford University Press, 2019. "node, n." OED Online, Oxford University Press, 2019. "system, n." OED Online, Oxford University Press, 2019.		
"the classifying the communication is based on the causing the at least one processor to access the at least one database to search for the user profile for the second participant." ('330 patent claim 4)	Plain and ordinary meaning. For example: the step of: "classifying the communication" uses the result of the step of: "causing the at least one processor to access the at least one database to search for the user	Claims: • 4. The method of claim 1, wherein: (a) the causing the at least one processor to access the at least one database to search for the user profile for the second participant is based on the comparing at least a portion of the second participant identifier with the at least one of the plurality of first participant attributes; and (b) **the classifying the communication is**	Indefinite	Cites to the '330 Patent. Fig. 1, Fig. 7, Figs. 8A-D, Fig. 10, Fig. 14, and Fig. 19. 5:4-18 ("The classifying provisions may be operably configured to classify the call as a private network call when the reformatted callee identifier identifies a subscriber to the private network. The classifying provisions may be operably

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		based on the causing the at least one processor to access the at least one database to search for the user profile for the second participant. '330 Patent at Claim 4. Detailed Description: • "Referring back to FIG. 8A, if at block 280, the callee identifier received in the RC request message has a prefix that identifies the same node as that associated with the caller, block 600 directs the processor 202 to use the callee identifier in the callee id buffer 211 to locate and retrieve a dialing profile for the callee. The dialing profile may be of the type shown in FIG. 11		configured to classify the call as a private network call when the callee identifier complies with a pre-defined username format. The apparatus may further include searching provisions for searching a database of records to locate a direct in dial (DID) bank table record associating a public telephone number with the reformatted callee identifier and the classifying provisions may be operably configured to classify the call as a private network call when the DID bank table record is found and to classify the call as a public network call when a DID bank table record is not found.");

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		or 12, for example. **Block 602 of FIG. 8A then directs the processor 202 of FIG. 7 to get call block, call forward and voicemail records from the database 18 of FIG. 1 based on the user name identified in the callee dialing profile retrieved by the processor at block 600.** Call block, call forward and voicemail records may be as shown in FIGS. 26, 27, 28 and 30 for example." '330 Patent at col. 25 l. 63 – col, 26 l. 8. • "Referring back to FIG. 8B, if at block 396, the callee identifier has a length that does not fall within the range specified by the caller minimum local number		14:51-64 ("Referring to FIG. 1, in an attempt to make a call by the Vancouver telephone/videophone 12 to the Calgary telephone/videophone 15, the Vancouver telephone/videophone sends a SIP invite message to the Vancouver supernode 11 and in response, the call controller 14 sends an RC request message to the RC 16 which makes various enquiries of the database 18 to produce a routing message which is sent back to the call controller 14. The call controller 14 then communicates with the media relay 9 to cause a communications link including an audio path and a videophone (if a videopath call) to be

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		length field (268 in FIG. 10) and the caller maximum local number length field (270 in FIG. 10), block 402 directs the processor 202 of FIG. 7 to determine whether or not the callee identifier identifies a valid user name. **To do this, the processor 202 searches through the database (18 of FIG. 10 of dialing profiles to find a dialing profile having user name field contents (258 in FIG. 10) that match the callee identifier.** If no match is found, block 404 directs the processor (202) to send an error message back to the call controller (14). If at block 402, a dialing		established through the media relay to the same node, a different node or to a communications supplier gateway as shown generally at 20 to carry audio, and where applicable, video traffic to the call recipient or callee."); 20:60-21:10 ("Still referring to FIG. 8B, if the length of the amended callee identifier meets the criteria set forth at block 263, block 269 directs the processor (202 of FIG. 7) to make a database request to determine whether or not the amended callee identifier is found in a record in the direct-in-dial bank (DID) table. Referring back to FIG. 8B, at block 269, if the processor 202 receives a

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U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		profile having a user name field 258 that matches the callee identifier is found, block 406 directs the processor 202 to set the call type flag to indicate that the call is a private network call and then the processor is directed to block 280 of FIG. 8A. Thus, the call is classified as a private network call when the callee identifier identifies a subscriber to the private network." '330 Patent at col. 25 ll. 4- 22. • "Not all calls will be subscriber to subscriber calls and this will be detected by the processor 202 of FIG. 7 when it executes block 269 in FIG. 8B, and does not find a DID		response from the database indicating that the reformatted callee identifier produced at block 261 is found in a record in the DID bank table, then the callee is a subscriber to the system and the call is classified as a private network call by directing the processor to block 279 which directs the processor to copy the contents of the corresponding user name field (281 in FIG. 14) from the callee DID bank table record (300 in FIG. 14) into the callee ID buffer (211 in FIG. 7). Thus, the processor 202 locates a subscriber user name associated with the reformatted callee identifier. The processor 202 is then directed to

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		bank table record that is associated with the callee, in the DID bank table. When this occurs, the call is classified as a public network call by directing the processor 202 to block 408 of FIG." '330 Patent at col. 23 ll. 51-9. Extrinsic evidence includes expected expert testimony. An expert is expected to offer the following opinions, based on their expertise, background and experience in the field of electrical engineering, knowledge of the viewpoint of a person of ordinary skill in the art, review of the patents and file histories, and review of the proposed constructions above:		point B in FIG. 8A."); 23:4-22 ("Referring back to FIG. 8B, if at block 396, the callee identifier has a length that does not fall within the range specified by the caller minimum local number length field (268 in FIG. 10) and the caller maximum local number length field (270 in FIG. 10), block 402 directs the processor 202 of FIG. 7 to determine whether or not the callee identifier identifies a valid user name. To do this, the processor 202 searches through the database (18 of FIG. 10 of dialing profiles to find a dialing profile having user name field contents (258 in FIG. 10) that match the callee identifier. If no match is found, block 404 directs

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		1. One of ordinary skill in the art as of the priority date would be someone with an undergraduate degree in either Computer Science, Computer Engineering, Electrical Engineering, or a closely related discipline. Such a person would also have two years of experience in system-level software development. A greater degree of professional experience could serve to replace some degree of formal education and some greater degree of formal education could serve to replace some degree of professional work experience. 2. A person of ordinary skill in the art would have understood the		the processor (202) to send an error message back to the call controller is (14). If at block 402, a dialing profile having a user name field 258 that matches the callee identifier is found, block 406 directs the processor 202 to set the call type flag to indicate that the call is a private network call and then the processor is directed to block 280 of FIG. 8A. Thus, the call is classified as a private network call when the callee identifier identifies a subscriber to the private network."); 23:51-65 ("Not all calls will be subscriber to subscriber calls and this will be detected by the processor 202 of FIG. 7 when it executes block 269 in FIG. 8B, and does not

U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]				
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		claim term, viewed in light of the subject patent(s) including the intrinsic evidence identified herein, to have the meanings consistent with the proposed claim construction. Extrinsic Evidence: Webster's II New College Dictionary, 2005 (at p. 212). Webster's II New College Dictionary, 2005 (at p. 233). Webster's II New College Dictionary, 2005 (at p. 820). Webster's II New College Dictionary, 2005 (at p. 902). McGraw-Hill Dictionary		find a DID bank table record that is associated with the callee, in the DID\ bank table. When this occurs, the call is classified as a public network call by directing the processor 202 to block 408 of FIG. 8B which causes it to set the contents of the callee id buffer 211 of FIG. 7 equal to the newly formatted callee identifier, i.e., a number compatible with the E.164 standard. Then, block 410 of FIG. 8B directs the processor (202) to search a database of route or master list records associating route identifiers with dialing codes shown in FIG. 19 to locate a router having a dialing code having a number pattern matching at least a portion of the reformatted callee

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		of Scientific and Technical Terms, 2003 (at p. 403). McGraw-Hill Dictionary of Scientific and Technical Terms, 2003 (at p. 1676). McGraw-Hill Dictionary of Scientific and Technical Terms, 2003 (at p. 2235). "classify, v." OED Online, Oxford University Press, 2019. "communication, n." OED Online, Oxford University Press, 2019. "participant, adj. and n." OED Online, Oxford University Press, 2019. "profile, n." OED Online, Oxford University Press, 2019. "user, n.1." OED Online, Oxford University Press, 2019.		identifier."); '330 Patent cl. 4 ("The method of claim 1, wherein: (a) the causing the at least one processor to access the at least one database to search for the user profile for the second participant is based on the comparing at least a portion of the second participant identifier with the at least one of the plurality of first participant attributes; and (b) the classifying the communication is based on the causing the at least one processor to access the at least one database to search for the user profile for the second participant.").

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
"processing the second participant identifier" ('762 patent claim 1; '002 patent claim 1; '549 patent claim 1)	Plain and ordinary meaning. taking a series of actions or operations with respect to the second participant identifier	NA Extrinsic evidence includes expected expert testimony. An expert is expected to offer the following opinions, based on their expertise, background and experience in the field of electrical engineering, knowledge of the viewpoint of a person of ordinary skill in the art, review of the patents and file histories, and review of the proposed constructions above: 1. One of ordinary skill in the art as of the priority date would be someone with an undergraduate degree in either Computer Science, Computer Engineering, Electrical Engineering, or a closely related discipline. Such a	formatting the second participant identifier	Fig. 8B; 2:32-67 ("Formatting may involve removing an international dialing digit from the callee identifier, when the callee identifier begins with a digit matching an international dialing digit specified by the caller dialing profile associated with the caller. Formatting may involve removing a national dialing digit from the callee identifier and prepending a caller country code to the callee identifier when the callee identifier begins with a national dialing digit. Formatting may involve prepending a caller country code to the callee identifier when the callee identifier begins with digits identifying an area code specified by the caller

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		person would also have two years of experience in system-level software development. A greater degree of professional experience could serve to replace some degree of formal education and some greater degree of formal education could serve to replace some degree of professional work experience. 2. A person of ordinary skill in the art would have understood the claim term, viewed in light of the subject patent(s) including the intrinsic evidence identified herein, to have the meanings consistent with the proposed claim construction.		dialing profile. Formatting may involve prepending a caller country code and an area code to the callee identifier when the callee identifier has a length that matches a caller dialing number format specified by the caller dialing profile and only one area code is specified as being associated with the caller in the caller dialing profile. The process may involve classifying the call as a private network call when the reformatted callee identifier identifies a subscriber to the private network. The process may involve determining whether the callee identifier complies with a pre-defined user name format and if so, classifying the call as a private network call.

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	U.S. Patent No. 9,537,762 (the "'762 patent"); U.S. Patent No. 9,813,330 (the "'330 patent"); U.S. Patent No. 9,826,002 (the "'002 patent"); and U.S. Patent No. 9,948,549 (the "'549 patent")[1]
Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
		Extrinsic Evidence: McGraw-Hill Dictionary of Scientific and Technical Terms, 2003 (at p. 1676). Webster's II New College Dictionary, 2005 (at p. 820). Webster's II New College Dictionary, 2005 (at p. 902). "participant, adj. and n." OED Online, Oxford University Press, 2019.		The process may involve causing a database of records to be searched to locate a direct in dial (DID) bank table record associating a public telephone number with the reformatted callee identifier and if the DID bank table record is found, classifying the call as a private network call and if a DID bank table record is not found, classifying the call as a public network call."); 3:5-50 ("Determining whether a node associated with the reformatted callee identifier is the same as a node associated the caller identifier may involve determining whether a prefix of the reformatted callee identifier matches a corresponding prefix of a

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Claim Element	*VoIP-Pal's Proposed Construction*	*VoIP-Pal's Evidence*	*Defendants' Proposed Construction*	*Defendants' Evidence*
				user name associated with the caller dialing profile. . .."); 4:48-5:35; 5:50-6:3; 20:35-21:31; 22:16-23:51; 24:31-44; 25:25-39.